

2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

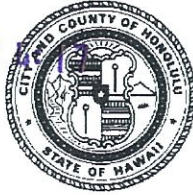
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Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

WEDNESDAY, JULY 6, 2016  
6:00 P.M.  
UNIVERSITY OF HAWAII – WEST OAHU  
CAMPUS CENTER  
MULTIPURPOSE ROOM C208

#### AGENDA

#### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

#### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- a. By 12:00 p.m. noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to three minutes per agenda item.

#### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 6:00 p.m. of the day prior to the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. TESTIMONY

Public testimony will be heard on certain proposals being considered by the Honolulu Charter Commission to amend the Honolulu Charter. See Attachment A2 for the list of proposals.

### III. ANNOUNCEMENTS

Next meeting date.

### IV. ADJOURNMENT



## ATTACHMENT A2

### Proposal 2. Glen I. Takahashi, City Clerk

The proposal relates to Special Elections and specifically requests that the timing of the ballot process be extended to allow enough time to meet the requirements of the Uniformed Military and Overseas Voter Act, passed by the Hawaii State Legislature in 2012, that requires that ballots must be mailed to military and overseas voters at least forty-five days prior to an election. Currently, the Charter requires the special election to be held within 60 days of a vacancy. The extension would be for an addition 20 days for a district special election (for a council vacancy) and an additional 60 days for a countywide special election (for the mayor or prosecutor). See sections 3-105, 5-106, and 8-106 of the Revised Charter of the City and County of Honolulu.

As amended on June 2, 2016, by the Style Committee:

#### **“Section 3-105. Vacancy in Office --**

A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a **[regular]** meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by special election to be called by the council within ten days and to be held within **[sixty]** **one hundred twenty** days after the occurrence of the vacancy. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. **Pending the election, the remaining members of the council shall make a temporary appointment with requisite qualifications to fill the vacancy until a successor is duly elected. The vacancy shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy until a successor is duly elected.”**

#### **“Section 5-106. Vacancy in Office --**

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

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(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

2. Pending the election of a mayor in case of a vacancy or in the temporary absence of the mayor from the state or temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the director of budget and fiscal services shall then act as mayor.”

### “Section 8-106. Vacancy in Office --

A vacancy in the office of the prosecuting attorney caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the office of the prosecuting attorney shall be filled by the first deputy who shall act as prosecuting attorney, or if the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor with the approval of the council shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. Pending the election of the prosecuting attorney, the first deputy shall act as prosecuting attorney. If the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor, with the approval of the council, shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.”

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### Proposal 3. Brandon Elefante, Councilmember

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

#### Amended by the Housing Permitted Interaction Group:

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.



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### Proposal 39. Charles Totto

Authorize the Salary Commission to set salary ranges for attorneys who work for the Ethics Commission which would set their actual salaries.

**Amended by the Style Committee and approved by the Commission:**

#### **Section 11-107. Ethics Commission –**

[only the paragraph on staff appointments, etc., was amended. The rest of the section remains as currently drafted]

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultations may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director and staff attorneys, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be [fixed by ordinance] set by the ethics commission within an excluded managerial compensation plan applicable to city and county employees. The salary of staff attorneys shall be set by the ethics commission; provided that salaries of staff attorneys shall not be more than salaries of comparable attorneys in the department of corporation counsel.

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### **Proposal 40. Rick Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.

#### **Proposed amendment:**

The Revised Charter of the City and County of Honolulu is amended by adding a new Article XVIII, which shall read as follows:

#### **Article XVIII Sunset of Boards and Commissions.**

Section 18-001. The council shall prepare an evaluation of at least one third of each board or commission of the county, every five years, which shall include the amount budgeted for and expended by the board and commission for the preceding five years, the annual average staff time allocated to the board and commission, the number of decisions made for each of the preceding five years, the impact if such board or commission were to sunset, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission. This evaluation shall be provided to the voters as part of the ballot issue, described in section 18-003

Section 19-002. Every board and commission of the county shall be subject to such review, except for boards created or required by state constitution or statute.

Section 18-003. A minimum of one third of all boards and commissions shall be placed on the general election ballot every five years, beginning in the 2018 election cycle. The council shall determine which boards or commissions shall be placed on the ballot. There shall be a ballot issue for each board or commission so named, included in the November election which

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shall ask the voters separately, whether each and every board or commission so named shall be retained. The ballot issue shall include the annual and previous ten year cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall summarily sunset before January 1st of the subsequent year following said election.

Section 18-004. Any board or commission which is subject to sunset under section 18-003 shall not be re-enacted by the council unless two years have passed after such sunset.



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### Proposal 44. Paul Oshiro

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The electors of the city shall elect a prosecuting attorney whose term of office **[of the prosecuting attorney]** shall **[commence] be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards**[, their terms of office]** and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

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### Proposal 48. Cheryl Soon

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

#### Article II, Section 2-102 Purposes

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

#### Amended and approved by the Commission:

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and promote stewardship of natural resources for present and future generations. All powers shall be administered in a transparent and inclusive manner and shall encourage full participation in by the citizenry in the process of governance.

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### Proposal 54 Cheryl Soon

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

#### Article VI

- Chapter 8 Section 6-803
  - Chapter 9 Section 6-903
  - Chapter 14 Section 6-1403
  - Chapter 15 Section 6-1509
  - Chapter 17 Section 6-1703
- Article VII      Section 7-103

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

#### **Chapter 8 Department of Environmental Services**

##### Section 6-803

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 9 Department of Facilities Maintenance**

##### Section 6-903

Add new duties.



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- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

### **Chapter 14 Department of Parks and Recreation**

Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

### **Chapter 17 Department of Transportation Services**

Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

**In Article VII Board of Water Supply** add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amendment approved by the Commission on April 7, 2016:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

#### **Article IX Financial Admin. 9-103:**

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(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.

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### Proposal 73. Professor Maxine Burkett

The proposed amendment would create an office that, among other things, provides the policy framework, leadership and coordination across all relevant city agencies, other counties, and the State on climate and resilience related issue. In addition, the office would facilitate expert information, assist with direction setting regarding planning and climate impacts, and audit new and existing policy to assess our relative climate preparedness at a given time. The office would produce an annual report on the state of climate adaptation.

Climate change is an increasingly serious problem that disproportionately affects coastal areas.

### Amended by Commission:

Added exemption of Climate Executive from section 6-1103 of the Charter; added “resiliency” to the provision as noted below:

### Section 6-107. Office of Climate Change, Sustainability and Resiliency –

There shall be an office of climate change, sustainability and resiliency headed by an executive for climate change, sustainability and resiliency who shall be appointed and may be removed by the mayor. The executive for climate change, sustainability and resiliency shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
- (b) Coordinate actions and policies of departments within the city to:
  - (1) Increase community preparedness.
  - (2) Protect economic activity.
  - (3) Protect the coastal areas and beaches.
  - (4) Develop resilient infrastructure in response to the effects from climate changes.
- (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
- (d) Integrate sustainable and environmental values into city plans, programs and policies.
- (e) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
- (f) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.
- (g) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai‘i, which Commission shall meet no less than twice annually for the purpose of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate



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to the executive for climate change and sustainability, the mayor, council and executive departments of the city.

### **Section 6-1103. Civil Service and Executive Branch Exemptions --**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

(a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; the position of the executive for housing; the position of the manager and chief engineer of the board of water supply, the executive for climate change, sustainability, and resiliency, and the manager of any semi-autonomous agency created by ordinance.

(b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.

(c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.

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### Proposal 76A. City and County of Honolulu, Office of the Managing Director

#### CHARTER COMMISSION PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)

#### **REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES**

##### **Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

##### **Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.

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### **REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

#### **Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:
  - (a) Three members shall be appointed by the mayor without necessity of council confirmation;
  - (b) Three members shall be appointed by the council; and
  - (c) One member shall be nominated and, upon council confirmation, appointed by the mayor. The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:
  - (a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and
  - (b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years. A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

#### **Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:
  - (a) Adopt rules for the conduct of its business.
  - (b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

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(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

### **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

#### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

#### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting to the condemnation within 45 days of such

## ATTACHMENT A2

notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

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(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

### **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

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- (f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.
- (g) Prepare and maintain a six-year capital program.
- (h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.
- (i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.
- (j) Review development projects having significant impact on the development of the fixed guideway system.
- (k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (l) Attend all meetings of the board unless excused.
- (m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

### **Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

### **Section 17-114. Transit Fund --**

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits

## **ATTACHMENT A2**

and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

### **Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

### **NEW TRANSITION PROVISIONS**

#### **Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.
2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.
3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

### **REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF TRANSPORTATION COMMISSION.**



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### Proposal 79. City and County of Honolulu, Office of the Managing Director

Require BWS & HART contracts to be approved as to form and legality by COR.

#### **(BWS) Section 7-116. Legal Counsel –**

The corporation counsel of the city shall be the legal adviser of the department and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the department. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the department. Before execution, all written contracts to which the department is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the department.

The department may employ an attorney to act as its legal adviser and to represent the department in any litigation to which the department is a party. (*Reso. 83-357*)

#### **(HART) Section 17-112. Legal Counsel --**

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority. Before execution, all written contracts to which the authority is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party. (*Reso. 09-252*)

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### Proposal 102. Ryan Akamine

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from “underrepresented communities” to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

#### Approved by Commission and sent to Style Committee:

Proposed Amendment: Youth Commission

#### STATEMENT REGARDING THE CREATION OF A YOUTH COMMISSION

Shall the City and County of Honolulu Charter be amended to establish a Youth Commission?

#### Plain Language Statement:

The proposed Charter amendment would create a Youth Commission to advise the City Council and Mayor on issues relating to children and youth, express the policy priorities of Honolulu’s youth, to create and develop future leaders, and to increase youth involvement in the shaping of public policy. The Commission would be composed of fifteen members from the ages of 14 to 24 appointed by the City Council and the Mayor. The fifteen members shall reflect the diversity of the people of the City and County of Honolulu, including ethnicity, race, gender, sexual orientation, and socioeconomic status. The Youth Commission may employ staff as necessary. The Youth Commission would respond to requests for comment from the City Council and Mayor.

YES FOR APPROVAL \_\_\_\_\_

NO FOR REJECTION \_\_\_\_\_

If approved, the Charter would include the following language:

§ 6-107.

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### YOUTH COMMISSION

1. There shall be an independent youth commission consisting of fifteen members, each of whom shall be between the ages of 14 and 24 years at the time of appointment and shall serve for staggered terms of two years. Each council member shall appoint one member and the mayor shall appoint six members. Five of the members appointed by the mayor shall be from underrepresented communities reflecting the diversity of the people of the City and County of Honolulu, such as ethnicity, race, gender, sexual orientation, and socioeconomic status. The initial appointments shall commence no later than August 1, 2017, and shall be as follows:

A. ONE YEAR: Eight members, three appointed by the mayor and one each appointed by the council members representing districts 1, 3, 5, 7, and 9

B. TWO YEARS: Seven members, three appointed by the mayor and one each appointed by the council members representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall elect a chair from among its members and the commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the City and County of Honolulu. The commission shall also express the policy priorities of the children and youth of the City and County of Honolulu. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, departments, agencies, boards, commissions and advisory committees of the City and County of Honolulu.

3. The commission and City Council may establish its rules of procedure and adopt rules and regulations pursuant to law.

4. The commission may employ staff as is necessary to assist it in the performance of its duties.

5. Members of the commission may receive a stipend as determined by the council.

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### Proposal 116. Lea Hong; The Trust for Public Land

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O`ahu and high demand by voters for more conservation of land.. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

#### Language agreed to:

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

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3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each

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fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.

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### Proposal 153. Donna Ikeda

#### Proposal 153:

#### Amended by Commission and sent to Style

#### Section 11-102. Conflicts of Interest --

1. No elected or appointed officer or employee shall:
  - (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form[, under circumstances in which]:
    - (1) If it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties[.], or is intended as a reward for any official action; or
    - (2) From a lobbyist registered with the city.

Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

  - (b) Disclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.
  - (c) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.
  - (d) Receive any compensation for such person's services as an officer or employee of the city from any source other than the city, except as otherwise provided by this charter or by ordinance.
  - (e) Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law.
2. No appointed officer shall participate in or make any decision on a city matter if:
  - (a) He or she was directly involved in the matter while employed with a private entity in the twelve months immediately preceding the start of the officer's current employment with the city; and
  - (b) Such prior involvement on behalf of a private entity may tend to impair the independence of judgment in the performance of the officer's official duties.

The prohibition in this subsection shall apply for a period of twelve months from the start of the officer's current employment with the city. The officer may apply for a waiver from this prohibition to the ethics commission, which shall determine, based on the relevant circumstances, whether the waiver is in the best interests of the public. For the purposes of this subsection, the term "officer" shall exclude any member of a board or commission who is not the administrative head of an agency.

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### Proposal C-1. Kevin Mulligan

#### Section 6-1603. Chief of Police —

1. The chief of police shall be appointed by the police commission for a term of five years. The chief shall serve at the pleasure of the police commission and shall not attain any property interest in the position of chief of police. The police commission may remove or suspend the chief of police at any time prior to the expiration of the five year appointment. The chief shall have had a minimum of five years of training and experience in law enforcement work, at least three years of which shall have been in a responsible administrative capacity. The chief shall not serve beyond the expiration of a term unless appointed again by the police commission. If desiring to do so, the police commission may appoint an incumbent chief to a new term without first engaging in an applicant solicitation and selection process.

2. Before the expiration of a term to which appointed, the chief may be removed or suspended by the police commission ~~[only for cause]~~ for any reason. Such reasons may include but are not limited to:

- a) The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
- b) The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
- c) The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
- d) The chief has acted in a manner for of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief's governing body.

As prerequisites to removal or suspension, the chief shall be given a written statement of the ~~[charge]~~ reasons for removal or suspension and an opportunity for a hearing before the police commission.

~~3. [Gross or continuous maladministration shall be a cause sufficient for removal of the chief. Before removing the chief for such cause, the commission shall give the chief written notice of and a reasonable period to cure the gross or continuous maladministration. If the gross or continuous maladministration is not cured to the commission's satisfaction within the period given, the commission may proceed to remove the chief in accordance with subsection 2. This subsection shall not be construed as:~~

- ~~(a) Making gross or continuous maladministration the only cause sufficient for removal of a chief; or~~
- ~~(b) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.~~



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~~(c) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.]~~

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### Proposal C-2. Kevin Mulligan

#### **Section 6-1606. Powers, Duties and Functions (of Police Commission)**

- Amending Section (d) by giving the Police Commission the power to subpoena and require the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law.<sup>1</sup> The Police Commission can make recommendations concerning allegations of officer misconduct to the Chief of Police and the Chief must respond to the Police Commission with his or her decision on the recommendation in writing. *Currently, the Chief is not required to respond to the Police Commission concerning their recommendations.*
- The Police Commission investigations should provide an objective analysis of complaints filed by citizens to ensure compliance with policy and procedure, best practices and the law.<sup>2</sup>

#### **Section 6-1606. Powers, Duties and Functions --**

The police commission shall:

- (a) Adopt such rules as it may consider necessary for the conduct of its business and review rules and regulations for the administration of the department.
- (b) Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.
- (c) Submit an annual report to the mayor and the city council.
- (d) Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members.
- (e) The police commission may issue subpoenas and require the attendance of witnesses and the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law. [and]
- (f) Submit a written report of its findings to the chief of police. If the chief of police disagrees with the findings of the police commission, the chief shall submit the reasons in writing to the police commission. A summary of the charges filed and their disposition shall be included in the annual report of the commission.
- (g) Review and, if deemed necessary, make recommendations on the five-year plan and any update of goals and objectives for the police department which is submitted by the chief of police. The commission shall not have the power to approve, modify, or reject the plan or any update.
- (h) Compare at least annually the actual achievements of the police department against the goals and objectives in the five-year plan or latest update submitted by the chief.
- (i) Evaluate at least annually the performance of duties by the chief of police.

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<sup>1</sup> City of Long Beach California City Charter – Citizen Police Complaint Commission

<sup>2</sup> Fresno Office of Independent Review

Charter Commission Outreach Meeting, July 6, 2016

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Except for purposes of inquiry or as otherwise provided in this charter, neither the commission nor its members shall interfere in any way with the administrative affairs of the department.

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### Proposal C-3. Guy K. Fujimura

#### Honolulu Zoo Fund

#### Section \_\_\_\_\_. Honolulu Zoo Fund –

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.
2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.
3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.
4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.
5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.

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### **Proposal C-5. Cheryl D. Soon**

(NEW)

#### **ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

##### **Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

##### **Section 6-1802. Powers, Duties and Functions –**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

##### **Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

##### **Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.



## DOWNTOWN NEIGHBORHOOD BOARD NO. 13

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**DOWNTOWN NEIGHBORHOOD BOARD  
REGULAR MEETING AGENDA  
THURSDAY, JULY 7, 2016  
HAWAII PACIFIC UNIVERSITY  
ONE ALOHA TOWER DRIVE  
MULTI-PURPOSE ROOM 2  
7:00 P.M.**

Reminder of order and decorum: Persons wishing to speak on agenda items must raise their hand and, when recognized, address the Chair. Each member of the audience is entitled to speak once for up to two (2) minutes on any agenda item unless otherwise directed by the Chair. Board Members shall adhere to Board speaking limits.

The meeting is being recorded for broadcasting and viewing on Olelo. To insure that all verbal comments are audible for broadcasting, please speak into the designated microphone to enable the importance of the speaker's message to be recorded and heard at the broadcast and viewing of the meeting.

- I. CALL TO ORDER
- II. INTRODUCTION OF BOARD MEMBERS
- III. ELECTION OF OFFICERS TO SERVE FROM JULY 1, 2016 to JUNE 30, 2017. The officers to be elected are the Chair, Vice Chair, Secretary, and Treasurer.
- IV. PUBLIC SAFETY REPORTS
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
  - C. Neighborhood Citizen's Patrol
- V. COMMUNITY CONCERNS (Three (3) minutes each)
  - A. Hawaii Pacific University
  - B. Safe Haven
  - C. Honolulu Rail Transit
  - D. Chinatown Business & Community Association
  - E. Chinatown Improvement District
  - F. Arts Cultural Merchant Etc (ACME)
  - G. Public (Two (2) minutes each for issues not on the agenda)
- VI. ELECTED OFFICIALS
  - A. City and County
    - 1. Mayor
    - 2. City Council
    - 3. Charter Commission
  - B. State
    - 1. Governor
    - 2. State Senators and State Representatives
- VII. NEW BUSINESS.
  - A. Presentation of Tsunami Evacuation Map, and Hurricane Preparation Planning, Peter Hirai, Deputy Director, City Department of Emergency Management (10 minutes).
  - B. Kama'aina Kids Event, Sunday, October 2, 2016, Punchbowl (between Beretania and King Street) Street Closure Request, Allan Silva, Ten (10 minutes)
  - C. Presentation of Taste of Chinatown Festival Event, Smith Beretania Park, Saturday, August 13, 2016 1030am-430pm, Lee Stack, Chinatown Improvement District (10 minutes).
  - D. Amend Request for Yearlong Plan from July 2016 through April 2017 for Monthly Ten Street

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Parking Space Permits on Pauahi Street between, and along Nuuanu Avenue and Bethel Street fronting Marks Center Garage, 1159 Nuuanu Avenue for Creative Arts Experience Event, Sandra Pohl, Event Organizer (10 minutes).

- E. Presentation Hawaiian Electric Major Facilities Upgrade in Downtown Chinatown area, August 1, 2016 to August 4, 2016, Kendys Min, HECO Community Relations (10 minutes)
- F. Discussion on Honolulu Charter Commission Proposals affecting the Neighborhood Board, Proposal 40, No less than every 5 (five) years, the Council is required to periodically review and report on every City Board and Commission, and place on the ballot the question of, if each Board and Commission should continue to exist, and Proposal 44, To create a term limit for Neighborhood Board members of six (6) consecutive terms (12 years), (10 minutes).

#### VIII. APPROVAL OF JUNE 2, 2016 REGULAR MEETING MINUTES

#### IX. BOARD BUSINESS AND REPORTS

- A. 1. Chair's Report
- 2. Other Liquor License Applications (Cantina LLC, 10 N. Hotel Street) or Street Closure events.
- 3. Future Agenda Item.
- 4. Neighborhood Commission Updates
- 5. Office of Information Practices Report
- B. Treasurer's Report
- C. City and County Affairs
- D. Oahu Metropolitan Planning Organization (OMPO)

#### X. ANNOUNCEMENTS

- A. The next regular meeting is scheduled for Thursday, August 4, 2016, Hawaii Pacific University, One Aloha Tower Drive, Multi-Purpose Room 2 at 7:00 p.m.
- B. The Neighborhood Citizen's Patrol meets each Tuesday on the Diamond Head side of Kukui Plaza at 8:00 p.m. Please consider joining the patrol and supporting its efforts as they express their service and pride in our Downtown/Chinatown community.
- C. Broadcast-Videotape of Board meetings are scheduled to be shown on the 3rd Thursday, and on the 2nd and 4th Saturday, Channel 49.

#### XI. ADJOURNMENT

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone (808) 768-3710 or Fax (808) 768-3711; or call Neighborhood Assistant Sharon Baillie at (808) 768-3714 or e-mail [Sharon.baillie@honolulu.gov](mailto:Sharon.baillie@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24-hours before the scheduled meeting.





## McCULLY/MO'ILI'ILI NEIGHBORHOOD BOARD NO. 8

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII, 96813  
TELEPHONE: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/>

McCully – Mo'ili'ili Neighborhood Board #8

Meeting Agenda

**THURSDAY, JULY 7, 2016**

Washington Middle School Cafeteria

1633 South King Street

6:30 p.m.

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**RULES OF PARTICIPATION:** Anyone wishing to speak please raise your hand; and after recognition address your comments to the Chair. Comments must relate to the pending agenda item. Speakers should keep their comments to less than one (1) minute, and those giving reports should keep their reports to less than three (3) minutes. Please silence all electronic devices. Per Board policy, presentations begin at 7:30 p.m.

**NOTES:** This Board may take action on any agenda item. As required by the State Sunshine Law (HRS, Chapter 92) specific issues not listed on this agenda cannot be voted on, unless properly added to the agenda. By Board rules, everyone has two (2) turns to speak on a topic, including Board members, of one (1) minute each.

1. **CALL TO ORDER.** At 6:30 p.m. by Chair Lockwood  
Neighborhood Assistant – James Skizewski [james.skizewski@honolulu.gov](mailto:james.skizewski@honolulu.gov)
2. **Election.** Neighborhood Board No. 8 Officers (July 2016 – June 2017) Chair, Vice Chair(s), Secretary and Treasurer.
3. **FILLING OF VACANCIES ON BOARD:** Three (3) Absence Letter for Masa Yamaguchi. Section 2 – 14 – 106 Neighborhood Plan Decision on this is moot as first term year ended on 30 June 2016. Issue being looked at as a change to Neighborhood Plan
4. **PUBLIC SAFETY & COMMUNITY LIAISON**  
Questions in private or in writing to these officials before or after they speak would be greatly appreciated to save time.
  - A. **Honolulu Fire Department –Station 29 McCully-Mo'ili'ili**
  - B. **Honolulu Police Department – District 1 & 7**  
See web site: [www.honolulu.gov/patrol/d7](http://www.honolulu.gov/patrol/d7)
  - C. **Governor's Representative** – Jeffery Pearson [jeff.pearson@hawaii.gov](mailto:jeff.pearson@hawaii.gov)
    1. Department of Hawaiian Homelands (DHHL) – Bowl-O-Drome Update
  - D. **Mayor's Representative.** Carolee C. Kubo [ckubo1@honolulu.gov](mailto:ckubo1@honolulu.gov)
    1. Report on IUCN event re: traffic concerns by HPD, DEM, DTS and other departments (5 – 7 Minutes & questions).
    2. Report on previous concerns
    3. Board and audience questions/concerns- new rubbish pick up schedule does it impact McCully-Mo'ili'ili.
  - E. **Board of Water Supply**
    1. Kapiolani Blvd (McCully to Date) Project; for updates [www.hbws.org/cssweb/display.cfm?storyID=1070](http://www.hbws.org/cssweb/display.cfm?storyID=1070) or use Hotline telephone # 748-5310 expect lane closures, Isenberg to University. Will be completed by Spring 2016 weather permitting
    2. Fire Hydrants malfunction? Call 748-5000 with location and fire hydrant number
    3. Future Projects (dates subject to change)
      - a. Honolulu District 42" main – from Liliha to Mo'ili'ili (Victoria St. to Isenberg scheduled for 2019)
      - b. Kalakaua Ave. 16" main Beretania to Kapiolani & Kapiolani to Ala Wai Bridge (scheduled for 2020)
      - c. Ala Moana Water System Improvement – Ala Moana Blvd to Kalakaua to Kalia Road (scheduled for 2020)
    4. Nice poster display on Water at Kahala Mall
    5. Board and audience questions/concerns
  - F. **UH - Manoa**



1. Impact of UH – Manoa events on community (crime, parking, etc.) Monday, August 15, 2016 – Faculty Report; MOVE IN starts Tuesday, August 16, 2016, and runs through Friday, August 19, 2016; classes begin Monday, August 22, 2016.
2. Security Community Policing on Campus & surrounding communities
3. UHM – Dept. of Public Safety update. Community/Campus Citizen Patrols

**G. Report on Members Attendance at Other Public Meetings**

1. May 11, 2016 – Washington Middle School Community Council
2. May 13, 2016 – Washington Middle School – end of year program – Lockwood
3. May 14, 2016 – Mother Waldron Park clean up with T.A.G. – Lockwood, Sullivan, Heinrich + 60 others
4. May 19, 2016 - Housing & Homeless Working Group meeting – Tomita NEXT scheduled meeting is Thursday, June 23, 2016 1:30 – 3:00 at Room 229, State Capitol
5. May 25, 2016 – Civil War Memorial Day event at O'ahu Cemetery (Pvt. Kealoha) – Lockwood

5. **RESIDENT'S CONCERNS:** One (1) turn per person until everyone has spoken. Two (2) turns maximum/topic. Questions for Public Safety & Community Liaison should have been addressed in Section above. Please, inform the proper agencies of one's concerns to lessen delays in response.

1. Cleaning of streams: Makiki, Palolo, and Manoa.

6. **ELECTED OFFICIALS (Three (3) Minutes /Official)**

A. **Councilmember Kobayashi** [akobayashi@honolulu.gov](mailto:akobayashi@honolulu.gov)

- James Larson is assigned to our neighborhood [jlanson1@honolulu.gov](mailto:jlanson1@honolulu.gov)

B. **Rep. Della Au Belatti** [repbelatti@capitol.hawaii.gov](mailto:repbelatti@capitol.hawaii.gov)

C. **Rep. Isaac Choy** [repchoy@capitol.hawaii.gov](mailto:repchoy@capitol.hawaii.gov)

D. **Rep. Scott Nishimoto** [repnishimoto@capitol.hawaii.gov](mailto:repnishimoto@capitol.hawaii.gov)

E. **Rep. Scott Saiki** [repsaiki@capitol.hawaii.gov](mailto:repsaiki@capitol.hawaii.gov)

F. **Sen. B. Galuteria** [sengaluteria@capitol.hawaii.gov](mailto:sengaluteria@capitol.hawaii.gov)

G. **Sen. L. Ihara** [senihara@capitol.hawaii.gov](mailto:senihara@capitol.hawaii.gov)

H. **Sen. B. Taniguchi** [sentaniguchi@capitol.hawaii.gov](mailto:sentaniguchi@capitol.hawaii.gov)

Bills on elderly, affordable care, affordable housing, homeless, noise, transportation, safety and University of Hawaii-Manoa are of particular interest to our community.

7. **PRESENTATION (Five (5) Minutes each)** By Board rules, begin at 7:30 p.m.

- None due to IUCN presentation during Mayor's representative report.

8. **UNFINISHED BUSINESS (Five (5) Minutes per topic)**

- A. Moped Noise Mitigation Group: Signing by Governor by Tuesday, July 12, 2016, otherwise it becomes law without his signature.
  1. See article on this at [www.honolulu.gov/nco](http://www.honolulu.gov/nco) July on-line newsletter
- B. University Square Project – DPP report due Wednesday, June 29, 2016. Information Update.
- C. Candidate Forum – Set up Permitted Interaction Group (PIG) for Primary or General Election.
- D. Birds & Feral Cats – More reports have been received. Various areas including dead birds at Humane Society.
- E. Report on Thursday, June 9, 2016 meeting of Charter Commission pertaining to the elimination of Neighborhood Boards & other proposals.
- F. G. Special Project 2010 – Pedestrian Activated Traffic Light at Hauoli & S. King (Times Mkt. Light)
- G. Neighborhood Board #8 Vision Statement from April 2004

9. **NEW BUSINESS (Five (5) Minutes per topic)**

- A. Resolution 16 – 42 at City Council – Mobile Food Units. Bill is specific to North Shore food trucks. Will such action be needed for OUR area food park at Kalakaua & Fern? Public right of way, special permits, poor aesthetics, competition with 'brick & mortar' shops that pay property taxes, parking, restrooms, rubbish disposal, Dept. of Health inspection of each rental unit, uniform opening/closing time, seating area, compliance with business practices – paying of unreported income to workers, need for special duty officers, etc.
- B. Resolution from N.B 25 re: Concerning the City Charter Proposal Regarding Creation of a Single Agency to Manage Bus and Rail Transit Operations. Support or not.
- C. Recess as we are allowed three (3) (August, September, October, November, January, 2017 (traditional) or March or April).

**D. Discussion on Offshore Wind Farm Project**

**10. HOUSEKEEPING (Three (3) Minutes per topic)-** For material that arrives after the agenda deadline and for meeting updates and informational purposes

- A.** Bulky Item Pick-up is the 3rd Monday each month. Bulky Item Schedule see [www.opala.org](http://www.opala.org)
- B.** Neighborhood Commission Office. Moving update
- C.** Kaimuki High School Carnival – Friday, July 22, 2016 (6P – 11P); Saturday, July 23, 2016 (12P – 11P) and Sunday, July 24, 2016 (12P – 6P).

**11. APPROVAL OF MINUTES & TRESURERS REPORT**

- A.** Minutes from the June 2, 2016 meeting.
- B.** Please Submit written corrections to expedite time. Mahalo.

**12. COMMITTEE REPORTS**

- A.** Parks – T. Edwards & J. Kawamoto (co-chairs) – Next Meeting will be:

**13. ANNOUNCEMENTS, NEIGHBORHOOD EVENTS/MEETINGS**

- A.** 2nd Wednesday: SCC at Washington Middle, 5:00 Library
- B.** 3rd Wednesday: OMPO at Honolulu Hale at 3:30 p.m.
- C.** 2nd Thursday: SCC at Kaimuki High at 5:00 p.m. room Z113 Admin. Building
- D.** Convention Center up-dates: [www.hawaiiiconvention.com](http://www.hawaiiiconvention.com)

**14. NEXT REGULAR MEETING:** Next regular meeting will be held **Thursday, August 4, 2016, at 6:30 p.m.** at Washington Middle School. The election of officers (July 2016 – June 2017) will be held at that time.

- A.** To schedule an agenda presentation, contact Chair, R. Lockwood at: [lockwood0849@gmail.com](mailto:lockwood0849@gmail.com)
- B.** Meeting Schedule: August 4th, September 1st, October 6th, November 3rd, December 1st, 2016, January 5th (traditional recess), February 2nd, March 2nd, April 6th, 2017.
- C.** **'Olelo Broadcasts** of the McCully-Mo'ili'ili Neighborhood Board meetings are on Channel 49 on the following schedule: 3rd Friday of the month at 9:00p.m. or the 2nd and 4th Sunday at 3:00 p.m.

A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant James Skizewski at (808) 768-3705 or e-mail [james.skizewski@honolulu.gov](mailto:james.skizewski@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

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All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).

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HONOLULU POLICE COMMISSION  
City and County of Honolulu  
State of Hawaii  
Regular Meeting  
July 6, 2016

AMENDED

TIME: Wednesday, July 6, 2016, 2:00 p.m.  
PLACE: Honolulu Police Department, Alapai Station  
Conference Room A  
801 South Beretania Street, First Floor  
Honolulu, Hawaii 96813

AGENDA

- I. CALL TO ORDER
- II. ASCERTAINMENT OF QUORUM
- III. CHIEF OF POLICE REPORT
  1. Events
  2. Highlights
- IV. APPROVAL OF MINUTES FOR THE OPEN SESSION OF JUNE 1, 2016
- V. NEW BUSINESS
  1. Report on actions taken at the June 1, 2016, executive session
- VI. PUBLIC TESTIMONY
  1. Agenda Items
- VII. EXECUTIVE SESSION (Closed to the public)

The following agenda items will be reviewed in executive session pursuant to: HRS 92-5(a), subsections (2), (4), (5), (6) and (8): to consider discipline or charges affecting officer or employee privacy; to consult counsel on Commission powers, duties, privileges, immunities, and liabilities; to investigate possible criminal conduct; to consider sensitive public safety or security matters; and/or to consider information that by law or court order is confidential.

- A. Chief of Police report regarding sensitive matters relating to public safety or security
- B. Approval of the executive session minutes of June 1, 2016

VII. EXECUTIVE SESSION (Continued)

C. Executive Officer's Report

1. Status of investigations
2. Office status/personnel report

D. Personnel matters concerning the chief of police

E. Complaints

1. HPC No. 16-018, filed on February 29, 2016, alleging discourtesy-name/badge number, conduct unbecoming an officer, and malicious use of force
2. HPC No. 16-025, filed on March 10, 2016, alleging discourtesy-profanity and conduct unbecoming an officer
3. HPC No. 16-027, filed on March 28, 2016, alleging overbearing conduct and excessive use of force

VIII. RETURN TO OPEN SESSION FOR ANNOUNCEMENTS AND ADJOURNMENT

IX. ANNOUNCEMENTS

1. The next meeting of the Honolulu Police Commission will be on July 20, 2016, at 2 p.m.

X. ADJOURNMENT

Note: For those wishing to present written testimony, please submit your testimony to the Honolulu Police Commission, 1060 Richards Street, Suite 170, Honolulu, Hawaii 96813 by July 5, 2016. For those wishing to present oral testimony, please register thirty (30) minutes before the scheduled meeting. Persons not registered to speak on an agenda item should raise their hands at the time public testimony is invited (Item VI of the agenda) and they will be given an opportunity to speak following oral testimony by any registered speakers. Speaking time will be limited to three minutes.



**KAILUA NEIGHBORHOOD BOARD NO. 31**

519 WANA'AO ROAD • KAILUA, HAWAII 96734

PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www1.honolulu.gov>

**REGULAR MEETING AGENDA**

**THURSDAY, JULY 7, 2016, 7:00 P.M.**

**KAILUA RECREATION CENTER, 21 SOUTH KAINALU DRIVE**

Olelo delayed Broadcasts: See Olelo listings.

Visit: [www.honolulu.gov/nco](http://www.honolulu.gov/nco) for more information from the Kailua Neighborhood Board.

**I. CALL TO ORDER** – Chair Pro Tem Chuck Prentiss.

**II. ELECTION OF OFFICERS** – Chair, Vice Chair, Secretary, Treasurer

**III. ANNOUNCEMENTS**

- A. Certificate presentation
- B. Web site to report illegal vacation rentals: [www.stopillegalrentals.com](http://www.stopillegalrentals.com).
- C. Family Promise will host their 4th annual Fun Run in Kailua on Saturday, August 20, 2016.

**IV. PUBLIC AGENCIES**

- A. Honolulu Fire Department
- B. Honolulu Police Department
- C. Marine Corps Base Hawaii
- D. Mayor Kirk Caldwell's Representative
  - 1. Report on Maunawili Trail Conditional Use Permit (CUP) modification
- E. Governor David Ige's Representative
- F. Military/Civilian Council

**V. RESIDENT AND COMMUNITY CONCERNS – Three (3) minutes each**

Please sign in at meeting, or email Chair Chuck Prentiss at [prentissc001@hawaii.rr.com](mailto:prentissc001@hawaii.rr.com).

**VI. ELECTED OFFICIALS – Three (3) minutes each**

- A. Senator Laura Thielen
- B. Representative Ken Ito
- C. Representative Cynthia Thielen
- D. Representative Chris Lee
- E. Councilmember Ikaika Anderson

**VII. PRESENTATION (10 minutes)** – Mangrove eradication Kawainui Stream, Kendall Landscaping Services

**VIII. BOARD MOTIONS** – While the Kailua Neighborhood Board supports Additional Dwelling Units (ADUs) as a housing option, the Board opposes preferential waiving of permit fees for ADUs.

**IX. APPROVAL OF MINUTES** – Minutes of June 2, 2016

**X. COMMITTEE REPORTS**

**A. Parks and Recreation Committee – Chair, Tim Freeman**

- 1. Discussion concerning DLNR kayak permit enforcement in Kailua Bay. *Still awaiting an answer from DOFAW (David Smith) on issues since March 2016.*
- 2. Kite surfing businesses in Kailua Beach Park. *A task force is being put together to investigate commercial kiting activities at the Kailua Beach Park, headed by DLNR. There were two permits issued and one has expired and the other expires last day of June 2016. Neither will be reissued. DLNR is developing a survey (on line) to study all issues relating to Kailua Beach and Kiteboarding (rules, location, safety).*
- 3. Smoking in Surf to avoid city ban on beach smoking. *Still awaiting an answer from DOFAW (David Smith) on issues since March 2016.*
- 4. Letter of inquiry to David Smith of DOFAW regarding above issues. *Governor's representative*

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*was tasked last Neighborhood Board meeting to determine why no response was issued or to ask Governor to task appropriate individual or agency to answer questions.*

**Next meeting is the third Thursday, July 21, 2016, 7:00 p.m. to 8:00 p.m., Kailua Recreation Center, Arts and Crafts room.**

**B. Transportation and Public Works – Chair, William Hicks**

1. No report. Committee recessed in June.

**Next meeting is the second Thursday, July 14, 2016, 7:30 p.m. to 9:00 p.m., Kailua Recreation Center, Arts and Crafts room.**

**C. Government and Community Services – Chair, Matthew Darnell**

1. Mr. Matayoshi is inquiring about Japanese and Chinese translations of cycling instructions
2. Discussion with A&B about Kailua changes
3. Nextera purchase of HEI was postponed until July meeting

**Next meeting is the third Wednesday, July 20th, 2016, 7:00 p.m. – 8:00 p.m., Kailua Recreation Center, Arts and Crafts room.**

**D. Planning, Zoning & Environment – Chair, Donna Wong**

1. Koolaupoko Sustainable Communities Plan Revision
2. Charter Amendments
3. General Plan 2011 Update
4. Short-term Vacation Rental
5. Enchanted Lake/Kaelepulu canal discharge into Kailua Bay
6. Kalaheo Hillside proposed sale of City owned property
7. Conservation District Use Application (CDUA) 1711 Kanapu'u Drive (Horn property)
8. Kawainui-Hamakua Marsh Complex Master Plan
9. Kapa'a Industrial Park
10. Accessory dwelling Units (ADU)
11. Aikahi Sewage Treatment Plant
12. Kaapuni Drive proposed development of 4 houses on 10,000 sq ft lot
13. Maunawili Trail
14. 1240 Mokulua Drive seawall
15. Third party review

**Next meeting third Tuesday, July 19, 2016, 7:00 p.m. to 9:00 p.m. at Kalama Beach Park.**

**E. Public Safety Public Health & Civil Defense (PSPHCD), Chair, Claudine Tomasa.**

1. No report. Committee recessed in June 2016.

**Next meeting second Thursday, July 14, 2016, 6:30 p.m. to 7:30 p.m., Kailua Recreation Center, Arts and Crafts room.**

**F. Treasurer's Report: Vernon Hinsvark**

**G. Chair's Report:**

1. Committee agendas for August 2016 due to Chair by Sunday, July 24, 2016.
2. Committee Membership.

**XI. ADJOURNMENT.**

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**July, 2016 Committee Meeting Agendas**

**PUBLIC SAFETY, PUBLIC HEALTH, AND CIVIL DEFENSE (PHPSCD) COMMITTEE:**

**Second Thursday, July 14, 2016, 6:30 to 7:30 p.m., Kailua Recreation Center, Arts and Crafts Room. Claudine Tomasa, Chair, [ctomasa@gmail.com](mailto:ctomasa@gmail.com), Cell-783 5396. Members: Bill Hicks, Malina Kaulukukui, Judy Fujimoto, Jeff Zuckernick, Gary Weller.**

1. Call to order.
2. Announcement/ New business.
3. Public Safety/Public Health.
  - a. Update/report low flying military -commercial aircraft.
  - b. Report on Blue Zone Project.
4. Civil Defense: CERT Training Sundays, July 17, and 24, 2016, 8a.m. to 4p.m., 650 South King Street, Frank Faso Municipal Building, Dept. Of Emergency Management. Sunday, July 31, 730a.m. to 3p.m. @ Battery Harlow, Fort Ruger. Call Jeff Spencer 723 8955 or email [jspencer1@honolulu.gov](mailto:jspencer1@honolulu.gov).
5. Adjournment.

**TRANSPORTATION AND PUBLIC WORKS COMMITTEE:**

**Second Thursday, July 14, 2016, 7:30 to 9:00 p.m., Kailua Recreation Center, Arts and Crafts room. Bill Hicks, Chair, [hicksw001@hawaii.rr.com](mailto:hicksw001@hawaii.rr.com). Members: Claudine Tomasa, Michael Espenan, Gary Weller, and Tim Freeman.**

1. Call to Order.
2. Approval of Minutes.
3. Announcements.
4. Continuing Issues Status.
  - a. Kailua Comprehensive Traffic Studies.
  - b. Pedestrian safety/crosswalk issues.
  - c. Bicycle issues.
  - d. DTS developments in Lanikai, at the Kalapawai Market, and on Kuulei Road.
5. New Issues.
  - a. Complete Streets Proposal for Aumoe, Pouli, Awakea Steets.
6. Adjournment.

**GOVERNMENT AND COMMUNITY SERVICES COMMITTEE:**

**Third Wednesday, July 20, 2016, 7:00 to 8:00 p.m., Kailua Recreation Center, Arts and Crafts room. Matthew Darnell, Chair. Members: Gary Weller, Scot Matayoshi, Susan Dowsett**

1. Call to Order.
2. Approval of Minutes.
3. Announcements.
4. Old Business
  - a. HPD policy on parking on an unimproved sidewalk
  - b. Bike Rentals
5. New Business.
6. Adjournment.

**PLANNING, ZONING AND ENVIRONMENT COMMITTEE:**

**Third Tuesday, July 19, 2016, Kalama Beach Park, 7:00 to 9:00 p.m. Donna Wong, Chair. Members: Chuck Prentiss, Vern Hinsvark, Scot Matayoshi, Larry Bartley, Levani Lipton, Gary Weller, Paul Mossman. Non-voting members Stann Reiziss, Mike Lee.**

1. Call to Order.
2. Approval of Minutes.
3. Koolaupoko Sustainable Communities Plan Revision
4. Charter Amendments
5. General Plan 2011 Update
6. Short-term Vacation Rental
7. Enchanted Lake/Kaelepulu canal discharge into Kailua Bay
8. Kalaheo Hillside proposed sale of City owned property
9. Conservation District Use Application (CDUA) 1711 Kanapu'u Drive (Horn property)

10. Kawainui-Hamakua Marsh Complex Master Plan
11. Kapa'a Industrial Park
12. Accessory dwelling Units (ADU)
13. Aikahi Sewage Treatment Plant
14. Kaapuni Drive proposed development of 4 houses on 10,000 sq ft lot
15. Maunawili Trail
16. 1240 Mokulua Drive seawall
17. Act 183 (2005), Important Agricultural Land-Hoopili-rail.
18. Adjournment.

**PARKS & RECREATION COMMITTEE:**

**Third Thursday, July 21, 2016, 7:00 to 8:00 p.m., Kailua Recreation Center, Arts and Crafts room.  
Tim Freeman, Chair. Members: Larry Bartley, Michael Espenan.**

1. Call to order.
2. Approval of minutes.
3. Discussion concerning DLNR kayak permit enforcement in Kailua Bay.
4. Smoking in Surf to avoid city ban on beach smoking.
5. Letter of inquiry to D. Smith of DOFAW regarding above issues.
6. Determine if "Kailua Beach Yoga" is permitted to operate at Kailua Beach Park.
7. Adjournment.

**EXECUTIVE COMMITTEE:** Recess in July 2016. Board Officers.

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A. A mailing list is maintained for interested persons and agencies to receive the Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office, Honolulu Hale, 530 South King Street, Honolulu, HI 96813; Telephone (808) 768-3710 or FAX (808) 768-3711; call Neighborhood Assistant Amanda Ehe 768-4224 or e-mail [amanda.ehe@honolulu.gov](mailto:amanda.ehe@honolulu.gov). Agendas and minutes are also available online at <http://www.honolulu.gov/nco>;

B. Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24-hours before the scheduled meeting.





**KULIOUOU/KALANI IKI NEIGHBORHOOD BOARD NO. 2**

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813  
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA  
THURSDAY, JULY 7, 2016  
'Aina Haina Public Library  
5246 Kalaniana'ole Highway  
7:00 P.M. (Starts promptly. Please arrive by 6:55.)**

RECEIVED  
CITY CLERK  
& C OF HONOLULU  
2016 JUN 30 AM 9:07

1. CALL TO ORDER: Chair Pro Tem Heather Lum
2. ANNUAL ELECTION OF BOARD OFFICERS
3. CHAIR ANNOUNCEMENTS
  - The 33rd Annual Dick Evans Memorial Road Race is on Sunday, August 21, 2016
4. CITY/STATE MONTHLY REPORTS: *Citizens' questions/concerns to be addressed following each report.*
  - Honolulu Fire Department (HFD)
  - Honolulu Police Department (HPD)
  - Board of Water Supply (BWS) – Scot Muraoka
5. MEETING DETERMINATION – DATE/TIME/LOCATION (AUGUST 2016 – JUNE 2017)
6. RECESS DETERMINATION (AUGUST 2016 – JUNE 2017)
7. ELECTED OFFICIALS' REPORTS
  - A. Mayor's Office Representative – Mark Rigg
  - B. Councilmember Trevor Ozawa
  - C. Governor's Office Representative
  - D. Senator Sam Slom (District 9)
  - E. Representative Mark Hashem (District 18)
8. NEW BUSINESS: *Presentations, Discussions, Residents' Concerns (Board action taken as needed.)*
  - Koko Head Range master plan and petition – Kevin Mulkern
  - Kalani High School girls locker room construction traffic flow plan – Sheridan Spangler
9. CONTINUING BUSINESS: *Discussions & Ongoing Residents' Concerns (Board action taken as needed.)*
  - Kanewai Spring project – Maunaloa Fishpond Heritage Center
  - West Hind Drive traffic circle and other traffic issues pertaining to 'Aina Haina Longs
  - Papahehi Place fire hydrant concerns
10. PUBLIC INPUT FOR ITEMS NOT ON THE AGENDA: *Note: Because of the State "Sunshine Law," concerns raised may be discussed, but no Board action may be taken until a subsequent meeting*
11. OTHER BOARD BUSINESS
  - A. Approval of June 2, 2016 regular meeting minutes
  - B. Filling of board vacancies:
    - Subdistrict 2 Waialae Iki (one [1] seat)
    - Subdistrict 7 Niu Valley (one [1] seat)
    - Subdistrict 8 Kuliouou (one [1] seat)
12. REPORTS
  - A. Treasurer
  - B. Committee Reports and appointment of Committee Chairs
    - Environmental
    - Budget
    - Infrastructure

- Public Safety

13. ANNOUNCEMENTS

- Next Meeting:** The next Kuli'ou'ou-Kalani Iki Neighborhood Board No. 2 regular meeting is scheduled on Thursday, August 4, 2016 at 7:00 p.m. at the 'Aina Haina Public Library
- Audio and Video Recordings:** Informal audio and video recordings of the meetings are available to the general public via 'Olelo "On Demand" at <http://goo.gl/mhGBVy>. Search for "Kulioou Board" and you can download an mp3 file or watch a video of the meetings online

14. ADJOURNMENT

If you would like to receive this Board's agenda and minutes, please contact the Neighborhood Commission Office, Honolulu Hale, Room 406, Honolulu, HI 96813; call Neighborhood Assistant Stephen Saito at 768-3712 or e-mail at [ssaito1@honolulu.gov](mailto:ssaito1@honolulu.gov), fax 768-3711 to be added to the mailing list or visit [www.honolulu.gov/hco](http://www.honolulu.gov/hco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24 hours before the scheduled meeting.

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbttestimony@honolulu.gov](mailto:nbttestimony@honolulu.gov)



CITY AND COUNTY OF HONOLULU  
PLANNING COMMISSION

2016 JUN 29 PM 12:31  
NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the City and County of Honolulu:

PLACE: Mission Memorial Conference Room, Mission Memorial Building,  
550 South King Street, Honolulu, Hawaii  
DATE: Wednesday, July 20, 2016  
TIME: 1:30 p.m.

PUBLIC HEARINGS

Public hearing notice published in the Honolulu Star-Advertiser on July 8, 2016.

1. PRIMARY URBAN CENTER - ZONE CHANGE REQUEST—2016/Z-2 (LW)  
Trinity Missionary Baptist Church

Applicant: Trinity Missionary Baptist Church  
Landowner: Trinity Missionary Baptist Church  
Location: Airport area, 3950 Paine Circle, Honolulu  
Tax Map Key: 1-1-002:046  
Existing Use: Meeting facility (church)  
Existing Zoning: F-1 Military and Federal Preservation District  
Land Area Being Rezoned: Approximately 3.194 acres  
Request: A change in zoning from the F-1 Military and Federal Preservation District to the R-5 Residential District, to reflect its change in ownership from Federal to private, and continue its existing use as a church.

2. PRIMARY URBAN CENTER - ZONE CHANGE REQUEST—2016/Z-3 (TB)  
Holy Family Catholic Academy

Applicant: Holy Family Catholic Academy  
Landowner: Roman Catholic Church in the State of Hawaii  
Location: Airport area, 830 Main Street, Honolulu  
Tax Map Key: 1-1-002:031  
Existing Use: Meeting facility (church) and school  
Existing Zoning: F-1 Military and Federal Preservation District  
Land Area Being Rezoned: Approximately 4.444 acres  
Request: A change in zoning from the F-1 Military and Federal Preservation District to the R-5 Residential District, to reflect its change in ownership from Federal to private, and continue its existing use as a church and school.

The proposed zone change requests are available for viewing at the Department of Planning and Permitting or online at [www.honoluludpp.org/Planning/ZoneChanges.aspx](http://www.honoluludpp.org/Planning/ZoneChanges.aspx).

3. ALA MOANA NEIGHBORHOOD TRANSIT-ORIENTED DEVELOPMENT PLAN (RE)  
Request: Recommendation to adopt a community-based plan that focuses on the area surrounding the planned Ala Moana Center rail transit station.

The Plan is available for viewing at the Department of Planning and Permitting or online at [www.honolulu.gov/TOD](http://www.honolulu.gov/TOD).

Public testimony will be taken at the hearing. Fifteen (15) copies of written testimony should be filed with the Planning Commission at least forty-eight (48) hours before the date of the public hearing. Attendance at the public hearing is not necessary to submit written testimony. One copy may be faxed (768-6743) or mailed (Planning Commission, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii 96813). All interested persons are invited to attend. Those persons desiring to testify may register prior to the public hearing at the public hearing site.

Further information regarding this public hearing can be obtained by contacting the Planning Commission, 7<sup>th</sup> Floor, Frank F. Fasi Municipal Building, 650 South King Street, Honolulu, Hawaii 96813, or by telephone at 768-8007.

If you require special assistance, auxiliary aid and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluludpp.org](mailto:info@honoluludpp.org) at least three business days prior to the event.

PLANNING COMMISSION

DEAN I. HAZAMA, Chair

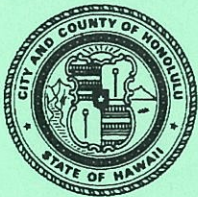
By

GEORGE I. ATTA, FAICP, Director

Department of Planning and Permitting

(Honolulu Star-Advertiser: Friday, July 8, 2016)





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

### Voting Members:

Trevor Ozawa, Chair  
Carol Fukunaga, Vice-Chair  
Ikaika Anderson  
Brandon J.C. Elefante  
Ann H. Kobayashi  
Joey Manahan  
Ernest Y. Martin  
Ron Menor  
Kymberly Marcos Pine

## AGENDA SPECIAL MEETING COMMITTEE MEETING ROOM TUESDAY, JULY 5, 2016 9:00 A.M.

RECEIVED  
CITY CLERK  
& C OF HONOLULU  
2016 JUN 29 PM 5:00

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 9:00 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out a registration form in person; or
- By calling 768-3817.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to one-minute presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3817 or send an email to [ltam@honolulu.gov](mailto:ltam@honolulu.gov) at least three working days prior to the meeting.

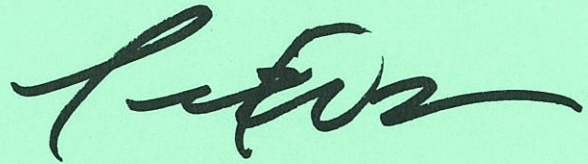
The meeting is viewable by: (1) internet live streaming through [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.



Committee on Executive Matters and Legal Affairs  
Special Meeting Agenda  
Tuesday, July 5, 2016

**FOR ACTION**

1. **RESOLUTION 16-164 – AUDIT OF THE HONOLULU ETHICS COMMISSION.**  
Requesting the City Auditor to perform a comprehensive management and performance of the Honolulu Ethics Commission.

A handwritten signature in black ink, appearing to read 'T. Ozawa', with a stylized, flowing script.

TREVOR OZAWA, Chair  
Committee on Executive Matters and  
Legal Affairs

ARBORIST ADVISORY COMMITTEE (AAC)  
CITY AND COUNTY OF HONOLULU

AGENDA, THIRD MEETING

**Thursday, July 7, 2016  
1:00 P.M.**

Foster Botanical Garden  
Orchid Conservatory Workshop  
50 North Vineyard Boulevard  
Honolulu, Hawaii 96817

RECEIVED  
CITY CLERK  
C & C OF HONOLULU

2016 JUN 29 PM 3:03

1. Call to order.
2. Thomas Square Master Plan – Chris Dacus
3. Thomas Square AAC Site Visit, June 19, 2016 and ET Nominations
4. Approval of Minutes - May 19, 2016 Meeting
4. Singapore Plumeria (902B Prospect Street)
5. 2016 Update – City & County Register of Exceptional Trees
5. Rules and Regulations: Pruning of Exceptional Trees, Draft Revision – Steven Connolly.
6. Adjournment

# OAHU WORKFORCE DEVELOPMENT BOARD

2016 JUN 29 PM 2: 52

innovation + opportunity + economic growth + human capital

## FULL BOARD MEETING

July 6, 2016 • 8:00 am to 9:00 am (approximate)

The Queen's Medical Center  
Queen's Conference Center – Board Room  
1301 Punchbowl Street; Honolulu, Hawaii 96813

### AGENDA

- I. Call to Order and Welcome
- II. Approval of Agenda
- III. Public comment on issues on agenda or, if not on agenda, for consideration for board's agenda at next meeting
- V. Welcome and Introductions
- VI. Action Item: Review and approval of letter to the Mayor from the Board regarding conflict-of-interest issues
- X. Announcements
- XI. Adjournment

Any physically challenged person requiring special assistance, please contact us at 768-5889 and/or email [owib@honolulu.gov](mailto:owib@honolulu.gov) for details at least 24 hours prior to meeting date



2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

Web Site:  
[honoluluchartercommission.org](http://honoluluchartercommission.org)



**VOTING MEMBERS**  
Donna Ikeda, Chair  
Paul T. Oshiro, Vice Chair  
Guy K. Fujimura  
Nathan T. Okubo  
R. Brian Tsujimura

**NONVOTING MEMBERS**  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Kevin Mulligan  
David W. Rae  
Cheryl D. Soon  
Edlyn S. Taniguchi  
Governor John D. Waihee III  
Pamela Witty-Oakland

## **STYLE COMMITTEE MEETING NOTICE**

TUESDAY, JULY 5, 2016  
2:00 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

### **AGENDA**

2016 JUN 29 PM 1:46  
RECEIVED  
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C & C OF HONOLULU

### **WHERE TO FIND CHARTER PROPOSALS**

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### **TESTIFIER REGISTRATION**

Persons wishing to testify are requested to register as follows:

- By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to three minutes per agenda item.

### **WRITTEN STATEMENT**

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. DISCUSSION AND ACTION

The following proposals from the Combined Report on the Findings and Recommendations of:

- The Permitted Interaction Group Established to Review Proposals Relating to Oversight and Powers Over Specific Function; and
- The Permitted Interaction Group Established to Review the Request by Mayor Caldwell Sent on April 27, 2016, Relating to the Grant in Aid Fund

have been posted in anticipation of the action to be taken by the Charter Commission at its June 30, 2016, meeting. The Style Committee may or may not take action on any of the following proposals:

- Proposal No. 4 to empower the City Council to remove the Corporation Counsel by a vote of two-thirds of the entire Council membership.
- Proposal No. 6 to provide more City Council oversight of Board of Water Supply.
- Proposal No. 20 to Subject Board of Water Supply Board to oversight by the City Council and to Charter standards of conduct.
- Proposal No. 29 to establish budget autonomy for the Prosecuting Attorney.
- Proposal No. 78 to clarify that Council and the Mayor, upon approval of Council, may establish special funds.

- Proposal No. 88 to clarify that additional revenues for Board of Water Supply may come from land and property development.
- Proposal No C-4 to clarify the annual amount of the appropriation to the Grants in Aid Fund.
- New Proposal to require the Board of Water Supply to seek Council approval before issuing revenue bonds and, to advise the Council if rates are being amended, and to hold public hearings before new rates are implemented or approved.
- New Proposal to delete the Grants in Aid Fund.
- New Proposal to clarify the authority of Council and the Mayor.

See Attachment 1.

### III. DISCUSSION AND ACTION

The following Proposal has been posted in anticipation of the action to be taken by the Charter Commission at its June 30, 2016, meeting. The Style Committee may or may not take action on Proposal 77 to add planning, engineering, design, construction, and installation to the Departments of Design and Construction, Enterprise Services, Environmental Services, Facility Maintenance, Transportation Services; Information Technology, and Parks and Recreation.

See Attachment 2.

### IV. DISCUSSION AND ACTION

The following Proposal has been posted in anticipation of the action to be taken by the Charter Commission at its June 30, 2016, meeting. The Style Committee may or may not take action on:

- Proposal No. 81 to provide for dimensional zoning variance criteria.
- Proposal No. C-3 to establish a Honolulu Zoo Fund to consist of 0.5 percent of the estimated real property tax revenues and to designate how the Fund may be used.

See Attachment 3.

### V. ANNOUNCEMENTS

Next meeting date.

### VI. ADJOURNMENT

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 4. Anonymous**

Purpose of Amendment: The Corporation Counsel is the chief legal adviser and legal representative of all agencies, including the City Council. However, the City Council, as the legislative branch, only has the power to approve the Corporation Counsel - it does not have the power to dismiss. In extreme circumstances where the City Council believes the Corporation Counsel is not acting in the City Council's interest or is it not otherwise fulfilling its duties, it should have the ability to remove that person.

"There shall be a department of the corporation counsel headed by a corporation counsel who shall be appointed by the mayor, with the approval of the council, and who may be removed by the mayor or by two-thirds vote of the council's entire membership."

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 6. Darlene Yoshioka**

Apparently, the City Council does not have much jurisdiction on the Board of Water Supply and what direction they need to take to be efficient.

I would like to recommend that the City Council have more jurisdiction/oversight over the Board of Water Supply, which is a public utility. The purpose of this amendment is to save the taxpayers some money. Taxpayer money is being wasted! If the City Council has more oversight on the Board of Water Supply, instead of only "Reacting" to water main breaks, the city could be more "Proactive" in repairing old water lines, before a break, so that the streets that have just been paved don't have to be torn up to repair the break. There should be some organization, so that after the water pipes are repaired BEFORE the city can repave that road. For example, in Kaimuki, right after the roads were paved, there were three water main breaks and the road had to be redone. It would relieve a lot of problems to be proactive. In Kailua, there have been 2 water main breaks on Kainui Drive, but instead of replacing the whole line, they only make a quick fix. One only knows when the water main will break again.

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 20. Donna Ikeda**

Provide Council oversight of the Board of Water Supply by the City Council and requiring that the department and its board be subject to Article XI of the charter, relating to standards of conduct

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 29. Donna Ikeda**

Amend the Charter to provide budget autonomy for the Prosecuting Attorney's office. At the current time, the Mayor has the power to restrict funds from the budget of the Prosecuting Attorney after it has been approved and passed by the City Council. Like the Mayor, the Prosecuting Attorney is elected by the people. As such, he/she should be given the right to administer his/her office without interference. The State Judiciary is given budget autonomy and I think that it should also apply to the Prosecutor on the County level.

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 78. City and County of Honolulu, Office of the Managing Director**

The proposed Charter amendment allows the Mayor, with the approval of City Council to create a fund.

#### **Section 9-202. Creation of Funds –**

In addition to the funds established by this charter, [the council, on its own initiative or on the recommendation of] the mayor, with the approval of the council, may establish other funds when [the council deems it] necessary and when no appropriate class of funds exists.  
(Reso. 12-113)

---

#### **Proposed Amendment of Proposal 78 as recommended in Permitted Interaction Group Report - Oversight and Powers Over Specific Functions**

#### Authority to Establish Special Funds

#### Section 3. Creation of Special Funds

Amend Section 9-202 of the Charter to read as follows:

#### **Section 9-202. Creation of Funds --**

In addition to the funds established by this charter, the council[, on its own initiative] or [on the recommendation of ]the mayor upon the approval of the council, may establish other funds[ when the council deems it necessary and] when no appropriate class of funds exists.



## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal 88. City and County of Honolulu, Office of the Managing Director**

Propose Charter amendment to clarify that the board may rely on sources of revenue in addition to rates in order to be self-sustaining such as but not limited to land development, property redevelopment to generate additional revenues to meet its revenue requirements. In its current form, the Charter is unclear as to whether the board must set rates at a level that would meet all of its revenue requirements, without allowing for any offset from revenue derived from other sources or activities.

#### **Section 7-109. Rates, Revenues and Appropriations --**

The board shall have the power to fix and adjust reasonable rates and charges for the furnishing of water and for water services, and enter into other agreements to generate additional revenues so that the revenues derived therefrom shall be sufficient to make the department self-supporting. Such revenues shall be sufficient to meet all necessary expenditures, including expenditures for

- (a) operating and maintenance expenses;
- (b) repairs, replacements, additions and extensions;
- (c) accident reserve, pension charges and compensation insurance;
- (d) payment of principal and interest on all bonds, including reserves therefor, issued for the acquisition or construction of waterworks and extensions thereto, and reserve funds under Section 7-112 of this Charter. All water furnished to the city or any department thereof shall be charged to the respective departments and collected at the regular rates established by the board. There shall be no free water, except as authorized by the state. The board may make appropriations for the purposes stated in this section of the Charter. (Reso. 70 and 253 (1974))

## ATTACHMENT 1

### Style Committee Meeting

#### **Proposal C-4 Mayor's Office**

##### Grant in Aid Proposal

Permitted Interaction Group formed on May 16, 2016, to discuss letter from the Mayor requesting an amendment to restrict Grants in Aid Funding to one half of one percent of the estimated general fund revenues.

Mayor's requested amendment:

##### **Section 9-205. Grants in Aid Fund –**

2. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one-half of one percent of the estimated general fund revenues which shall be deposited into the Grants in Aid Fund.

# ATTACHMENT 1

## Style Committee Meeting

### **NEW Proposal     Permitted Interaction Group Report – Oversight and Powers Over Specific Functions--**

#### Board of Water Supply Proposal

Section 7-105 of the Charter is amended to read as follows:

#### **Section 7-105. Powers, Duties and Functions of the Board of Water Supply**

The board of water supply shall:

- (a) Appoint and remove the manager and chief engineer of the department. The manager and chief engineer shall be a registered engineer who shall have had a minimum of five years of training and experience in waterworks activities or related fields, at least three years of which shall have been in a responsible administrative capacity.
- (b) Fix the salary of the manager and chief engineer.
- (c) Have the authority to create and abolish positions.
- (d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.
- (e) Have the authority to acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the construction, maintenance, repair, extension or operation of the water systems of the city. The council shall take no action to acquire real property or any interest therein for the department without the written approval of the board.
- (f) Have the authority to recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the department. The council shall take no action to dispose of such property without the prior approval of the board, and all proceeds from the disposition of such property shall be paid into the special fund of the department. The department may not otherwise sell, exchange, transfer, or encumber any real property or any interest therein which is under its control, nor shall it consider such sale, exchange, encumbrance of any real property or any interest therein without first obtaining the approval of the council and the mayor.

## ATTACHMENT 1

### Style Committee Meeting

- (g) Have the authority to enter into arrangements and agreements, as it deems proper for the joint use of poles, conduits, towers, stations, aqueducts, and reservoirs, for the operation of any of the properties under its management and control.
- (h) Have the authority to issue revenue bonds under the name of "board of water supply[.]" subject to the approval of the council.
- (i) Modify, if necessary, and approve and adopt annual operating and capital budgets submitted by the manager and chief engineer.
- (j) Prescribe and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of the charter, including
  - (1) the regulation of water systems and necessary appurtenances for subdivisions and other properties and requirements for adequate water supply and storage facilities for domestic use and fire protection,
  - (2) the prevention of waste and pollution of water,
  - (3) the manner in which new wells or shafts may be bored, drilled or excavated, cased and capped or recased,
  - (4) the manner in which wells or shafts shall be maintained, controlled and operated to prevent waste of water or the impairment of potability,
  - (5) the limitation to beneficial uses of all water,
  - (6) in times of shortage or threatened shortage of water or of danger to potability of the water of any ground water basin or area by overdraft on such basin, the restriction of the drawing of water in all wells supplied from such basin on a basis proportionate to the proper and beneficial uses served by them respectively, and
  - (7) other matters having for their object the proper conservation and beneficial use of the water resources available for the city.
- (k) Hear appeals from the order of the manager and chief engineer refusing, suspending or revoking any permit for the sinking, drilling or reopening of any well or shaft for the development of underground water supply.

Section 7-110 is amended to read as follows:

#### **Section 7-110. Public Hearings**

## ATTACHMENT 1

### Style Committee Meeting

[The board shall hold public hearings prior to fixing and adjusting rates and prior to the adoption of the budget.]

Prior to fixing and adjusting rates and prior to the adoption of the annual operating and capital budgets, the board shall:

- (a) Hold a minimum of three public hearings; and
- (b) Submit to the council for review and comments such rates and budgets.

# ATTACHMENT 1

## Style Committee Meeting

### **NEW Proposal      Permitted Interaction Group Report – Oversight and Powers Over Specific Functions--**

#### Grants In Aid Fund

Delete Section 9-205.

#### **[Section 9-205.   Grants in Aid Fund --**

1.    There shall be established a Grants in Aid Fund. Monies in the Grants in Aid Fund shall be used by the city to award grants in aid to federal income tax exempt non-profit organizations that provide services to economically and/or socially disadvantaged populations or provide services for public benefit in the areas of the arts, culture, economic development or the environment.
2.    In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half of one percent of the estimated general fund revenues which shall be deposited into the Grants in Aid Fund.
3.    No less than \$250,000 from the Grants in Aid Fund shall be expended annually in each council district.
4.    At any given time, no more than five percent of the moneys in the Grants in Aid Fund shall be used for administrative expenses.
5.    Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purpose except those listed in this section.
6.    The council may waive the requirements of this section of the charter pertaining to the annual appropriation of general fund revenues to the grants in aid fund for any particular fiscal year, when the council finds by a two-thirds vote of its entire membership that an emergency due to a public calamity exists or the city could not otherwise fulfill its legal obligations.
7.    There shall be established a grants in aid advisory commission to advise the city on grants issued under this section. The commission shall consist of seven members appointed by the mayor who shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2013, and shall be as follows:
  - (a)    For a two-year term, two members.
  - (b)    For a three-year term, two members.

## ATTACHMENT 1

### Style Committee Meeting

- (c) For a four-year term, two members.
  - (d) For a five-year term, one member.
8. The council shall by ordinance establish procedures for the administration and expenditure of the moneys in the fund.]

# ATTACHMENT 1

## Style Committee Meeting

### **NEW Proposal      Permitted Interaction Group Report – Oversight and Powers Over Specific Functions--**

#### Legislative and Executive Powers

##### Section 1. Legislative Authority

Amend Section 3-101 of the Charter to read as follows:

##### **Section 3-101. Legislative Power --**

The legislative power of the city shall be vested in and exercised solely by the city council, except as otherwise specifically provided by this charter.

##### Section 2. Mayoral Authority

Amend Section 4-101 of the Charter to read as follows:

##### **Section 4-101. Executive Power --**

The executive power of the city shall be vested in and exercised solely by the mayor, as chief executive officer, except as otherwise specifically provided by this charter.



ATTACHMENT 2  
Style Committee Meeting

PROPOSAL No. 77  
(For Commission Use)

2015-2016 HONOLULU CHARTER COMMISSION  
CITY AND COUNTY OF HONOLULU  
CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the:
- Proposed Charter amendment;
  - Purpose of the proposed Charter amendment;
  - Issue or problem to be addressed by the proposal; and
  - How the proposal would address the issue or problem.

Amend the Powers, Duties, and Functions of City departments as follows:

Department of Design and Construction (DDC)  
Department of Enterprise Services (DES)  
Department of Environmental Services (ENV)  
Department of Facility Maintenance (DFM)  
Department of Transportation Services (DTS)  
Department of Information Technology (DIT)  
Department of Parks and Recreation (DPR)

Under the current Charter only the Department of Design and Construction's (DDC's) Powers, Duties, and Functions include planning, engineering, design, and construction. As a result, Budget and Fiscal Services (BFS) requires receipt of written designation of Officer-in-Charge (OIC) authority from DDC before processing a contract for another department that involves planning, engineering, design, or construction, including contracts for repair work to existing facilities.

Including planning, engineering, design, construction, installation, repair, and/or reconstruction, as applicable, in the Powers, Duties, and Functions of the affected departments would acknowledge current capabilities and practices of those departments and improve City government efficiency by eliminating the repeated preparation and processing of designation of OIC authority from DDC to the affected departments for each project another department implements that includes one or more of those functions.

2. If applicable, list the Charter provision affected by the proposal.

Sections 6-503, 6-702, 6-803, 6-903, 6-1202, 6-1403 and 6-1703 Powers, Duties and Functions.

ATTACHMENT 2  
Style Committee Meeting

3. If the proposal is based on a provision or provisions in the charter or laws of another jurisdiction (e.g., another county, city, or municipality), name the jurisdiction and, if possible, attach a copy of each provision or law.

n/a

4. If the proposal is based on any written materials you have, please attach a copy of each with a citation to its source.

n/a

5. Attach the text of the proposed Charter amendment in Ramseyer format (see instructions below).

See attached.

Ramseyer format:

- **AMENDING AN EXISTING CHARTER PROVISION:** Indicate by underscoring, any language being proposed to be added to the Charter and indicate by [bracketing], any language being proposed to be deleted from the Charter.
  - **REPLACING AN EXISTING CHARTER PROVISION:** [Bracket] the article, chapter, or section of the Charter proposed to be deleted, and underscore the text of any provision proposed to replace the deleted material.
  - **ADDING A NEW CHARTER PROVISION:** Provide the text of the new provision and, if possible, indicate where in the Charter the new material should be added.
6. If this proposal is being submitted by an organization, please indicate the organization. If it is being submitted by an individual, please indicate the individual's first and last name.\*

ATTACHMENT 2  
Style Committee Meeting

City and County of Honolulu, Office of the Managing Director

7. Please include the address, phone number, and email of the organization or individual from Item 6 above, if you would like to be contacted.\*

Roy K. Amemiya, Jr.  
Managing Director  
City and County of Honolulu  
530 South King Street  
Honolulu, Hawaii 96813  
(808) 768-4275

\*Responses to Items 6 and 7 are optional; however, providing responses to these items will help the Commission's deliberations, especially when additional information or research is required. Please be aware that these document will be part of the public record and available to the public.

All proposals must be submitted by **October 31, 2015**.

You may submit your proposal by:

- Filling the form online and uploading documents, if any; or
- Submitting your completed form and any attachments by mail or email:
  - ✓ Mail to:  
2015-2016 Charter Commission  
City and County of Honolulu  
530 South King Street, Room 501  
Honolulu, Hawaii 96813
  - ✓ Email to:  
[cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

*Thank you for participating in the 2015-2016 Honolulu Charter Commission process!*



ATTACHMENT 2  
Style Committee Meeting

**(DDC) Section 6-503. Powers, Duties and Functions --**

The director of design and construction shall:

- (a) In consultation with the respective departments, [Direct and perform] support their [the] planning.
- (b) Perform the engineering, design, and construction [and improvement] of city facilities [public buildings].
- (c) Advise and assist the respective departments on matters related to [Direct and perform the] planning, repair, renovation, maintenance and construction [engineering, design and construction] of city facilities [public streets, roads, bridges and walkways, and drainage and flood improvements].
- (d) Manage and develop long-range planning of energy conservation projects at city facilities in cooperation with the respective departments [In consultation with the respective departments, direct and perform the planning, engineering, design and construction of wastewater facilities, parks and recreational facilities, and transportation systems]

**(DES) Section 6-702. Powers, Duties and Functions --**

The director of enterprise services shall:

- (a) Operate and maintain the Neal S. Blaisdell Center and any other auditorium or cultural or entertainment facilities assigned to the department.
- (b) As determined to be within the department's capabilities, direct and perform the repair, renovation, maintenance and construction of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department that exceed the department's capabilities.
- (d) [b] Perform such other duties as may be required by law.

**(ENV) Section 6-803. Powers, Duties and Functions --**

The director of the department of environmental services shall:

- (a) [Advise the director of design and construction concerning the planning and design of wastewater facilities.
- (b) Oversee the operation and maintenance of sewer lines, treatment plants, [and] pumping stations.
- (c) Monitor the collection, treatment and disposal of wastewater.
- (d) Provide chemical treatment and pumping of defective cesspools.
- (e) Develop and administer solid waste collection, processing and disposal systems.
- (f) ](a) Operate, maintain, expand, and upgrade the wastewater systems of the City and County of Honolulu to include resource recovery programs and disposition of recovered materials.
- (b) Permit connections to the wastewater system and review plans for wastewater facilities, other than City projects, for conformance to City standards.
- (c) Operate, maintain, and upgrade the solid waste systems of the City and County of Honolulu to include collection of waste from single family residences, resource recovery programs and disposition of recovered materials.
- (d) Provide for disposition of materials and resources created from wastewater and solid waste resource recovery operations including, but not limited to recycled water, recycled sewage sludge, and electricity.
- (e) Prepare bills, collect and, by appropriate means including the discontinuance of service and civil action, enforce collection of charges for the furnishing of wastewater and solid waste services.



ATTACHMENT 2  
Style Committee Meeting

- (f) As determined to be within the department's capabilities, direct and perform the planning, engineering, design and construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities.
- (g) Coordinate all planning, engineering, design, construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities that exceed the department's capabilities with the director of design and construction.
- (h) To carry out the powers, duties and functions of the department, any member or authorized representative of the department may enter upon any public or private property at any reasonable time without warrant, doing no unnecessary injury thereto.
- (i) [f] Promulgate rules and regulations as necessary to administer and enforce requirements established by law.
- (j) [g] Perform such other duties as required by law.

**(DFM) Section 6-903. Powers, Duties and Functions --**

The chief engineer shall:

- (a) Maintain public buildings and their adjoining parking facilities, except as otherwise provided by law.
- (b) Maintain public streets, roads, bridges, traffic medians, triangles, circles, other traffic calming appurtenances and walkways, and drainage and flood control systems.
- (c) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems.
- (d) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems that exceed the department's capabilities.
- (e) Direct and perform the acquisition, maintenance and disposal of all City owned vehicles and equipment except those that are operated by the Honolulu Board of Water Supply, Honolulu Police and Honolulu Fire Departments.
- (f) Monitor stormwater and other discharges into drainage systems and receiving waters.
- (g) Promulgate stormwater rules and regulations as necessary to administer and enforce requirements established by law.
- (h) [e] Install and maintain street lighting systems.
- (i) [f] Perform such other duties as may be required by law.

**(DIT) Section 6-1202. Powers, Duties and Functions --**

The director of information technology shall:

- (a) Install, [O]operate [a data processing system], and maintain information technology and telecommunications systems for the city government, excluding those systems maintained by the board of water supply and any other semi-autonomous agencies created by ordinance.
- (b) Coordinate with the director of design and construction the planning, engineering, design, construction, and repair of electrical, mechanical, structural, and architectural improvements required for information technology and telecommunications systems.



ATTACHMENT 2  
Style Committee Meeting

- (c) [b] Provide technical expertise and support in information technology and telecommunication technology [in data processing] to the city government.
- (d) [c] Assist the managing director in management information technology and telecommunications analysis and evaluation.
- (e) [d] Advise the mayor on information technology and telecommunications technology [data processing] matters.
- (f) [e] Perform such other duties as may be required by law.

**(DPR) Section 6-1403. Powers, Duties and Functions --**

The director of parks and recreation shall:

- (a) Operate and maintain [Advise the director of design and construction on the planning and design of] the parks and recreational facilities of the city [, and maintain and operate all such facilities].
- (b) As determined to be within the department's capabilities, direct and perform the minor repair, renovation, maintenance and construction of the parks and recreational facilities of the city.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the city's parks and recreational facilities that exceed the department's capabilities.
- (d) [b] Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.
- (e) [c] Beautify the public parks, facilities and streets of the city, including, but not limited to, the planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets.
- (f) [d] Process permit applications to use city parks and recreational facilities for free or affordable child day care programs for consideration by the council pursuant to Section 3-123 of this charter, provided that the director finds that such use does not interfere with the public's use of the property for park and recreational purposes.

**(DTS) Section 6-1703. Powers, Duties and Functions --**

1. The director of transportation services shall:

- (a) Plan, operate and maintain transportation systems, including bikeways, except for activities relating to the city's fixed guideway mass transit system, to meet public transportation needs, in accordance with the general plan and development plan[s], and advise on the design and construction thereof].
- (b) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, and construction of transportation systems, except for activities relating to the city's fixed guideway mass transit system.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of transportation systems, except for activities relating to the city's fixed guideway mass transit system, that exceed the department's capabilities.
- (d) [b] Locate, select, install and maintain traffic control facilities and devices.
- (e) [c] Provide educational programs to promote traffic safety.
- (f) [d] Establish a steel wheel on steel rail transit system, provided that nothing in this subsection shall preclude the director from utilizing technologies other than steel wheel on steel rail technology to complement or extend the rail transit system.
- (g) [e] Promulgate rules and regulations pursuant to standards established by law.

2. The director of transportation services shall have no power, duty, or function with respect to transportation systems, facilities, or programs which are under the jurisdiction of the public transit authority.

## ATTACHMENT 3

### Style Committee Meeting

#### PROPOSAL 81

**Proposer: City and County of Honolulu, Office of the Managing Director**

Establish a dimensional zoning variance, with criteria based on practical difficulties, rather than relying on unnecessary hardship as the exclusive grounds for granting a variance to the Land Use Ordinance. Current applicable Charter provisions only provide for the "hardship" criteria, which is typically (i.e., in most U.S. municipalities) applicable only to use-type zoning variances. Traditionally, dimensional/bulk variances are reviewed on the basis of practical difficulties tests. Establishing a dimensional variance, including the appropriate criteria needed for the Director of the Department of Planning and Permitting (DPP) to determine whether practical difficulty exists for non-use variance requests, will provide a more appropriate mechanism for the consideration of the majority of zoning variance requests received by the DPP.

#### **Section 6-1517. Zoning Variances**

The director shall hear and determine petitions for varying the application of the zoning code with respect to a specific parcel of land and may grant such a variance upon: (a) the ground of unnecessary hardship for use variances if the record shows that (1) the applicant would be deprived of the reasonable use of such land or building if the provisions of the zoning code were strictly applicable; (2) the request of the applicant is due to unique circumstances and not the general conditions in the neighborhood, so that the reasonableness of the neighborhood zoning is not drawn into question; and (3) the request, if approved, will not alter the essential character of the neighborhood nor be contrary to the intent and purpose of the zoning ordinance[.]30; or (b) the ground of practical difficulties for non-use or dimensional variances if the record shows that (1) the applicant proposes to use the property in a reasonable manner permitted by the zoning code; (2) the applicant's plight is due to circumstances unique to the property not created by the applicant; and (3) the variance will not alter the neighborhood's essential character or be injurious to the public health, safety and general welfare of the community. Prior to the granting of any variance, the director shall hold a public hearing thereon. The director shall specify the particular evidence which supports the granting of a variance.

## ATTACHMENT 3

### Style Committee Meeting

#### **Proposal C-3. Commissioner Guy Fujimura**

#### **NEW**

#### **Honolulu Zoo Fund**

#### **Section \_\_\_\_\_. Honolulu Zoo Fund –**

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.
2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.
3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.
4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.
5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.



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**COMMISSION ON CULTURE AND THE ARTS  
CITY AND COUNTY OF HONOLULU**

550 SOUTH KING STREET, SECOND FLOOR \* HONOLULU, HAWAII 96813  
PHONE: (808) 768-6622 \* FAX: (808) 768-4215 \* INTERNET: www.honolulu.gov/moca

**2016 JUN 29 AM 10:30**

KIRK CALDWELL  
MAYOR



GRANT KAGIMOTO  
CHAIR

BETTY LOU KAM  
VICE-CHAIR

**AGENDA**

**Business Meeting**

**Mission Memorial Building Hearings Room**

**550 South King Street**

**Thursday, July 14, 2016**

**4:30 p.m.**

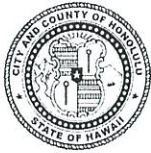
**SPEAKERS**

Persons wishing to testify will be given an opportunity to speak on an item. Each speaker is limited to a three-minute presentation.

1. Call to Order
2. Minutes
  - a. Approval of the minutes from the May 19, 2016 Business Meeting
3. Correspondence
4. Reports
  - a. Executive
  - b. Project
    - i. Art in City Buildings for Mililani Mauka District Park
    - ii. Art in City Buildings for McCully-Moiliili Fire Station
    - iii. Art in City Buildings for Waianae Police Station Replacement
    - iv. Art in City Buildings for Joint Traffic Management Center
      1. Finalists:
        - a. Sean Browne
        - b. Laura Haddad
        - c. Kazu Kauinana
        - d. Ahukini Kupihea
        - e. Devin Oishi
        - f. Robert Perless
        - g. Shige Yamada
    - v. Art in City Buildings for Thomas Square
  - c. Review
    - i. Banners Displayed from Lampposts Committee
    - ii. Grant Programs
      1. Mayor's Production Grant Level I
      2. Mayor's Production Grant Level II
      3. Operating Grant
      4. Event Coordination Grant

- d. Special
  - i. Honolulu Authority for Rapid Transportation
    - 1. Transit Art Program
- 5. Old Business
- 6. New Business
  - a. Honoring Commission Chair Grant Kagimoto
  - b. Commission elections
    - i. Chair
    - ii. Vice-Chair
    - iii. Executive Committee Member
  - c. Next meeting date
- 7. Adjournment

*If you require special assistance, auxiliary aid and/or service to participate in this event (i.e. sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please contact Kris Chu at 768-6622 or email your request to [moca-info@honolulu.gov](mailto:moca-info@honolulu.gov) at least three working days prior to the meeting.*



## WAIANAE COAST NEIGHBORHOOD BOARD NO. 24

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

Tuesday, July 5, 2016

6:30 p.m. – 9:30 p.m.

Waianae District Park – Multi-Purpose Room  
85-601 Farrington Highway

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports to three (3) minutes or less. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. **If submitting written testimony, please note the board and agenda item(s) your testimony concerns.** Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov)

**Please note the change of the meeting start time to 6:30 p.m.**

1. **Call to Order:** Cedric Asuega Gates, Chair
2. **Pule**
3. **Board Elections**
  - 3.1 Election of Board Officers
  - 3.2 Appointment of Committee and Committee Chairs
  - 3.3 Filling of one (1) At-Large Vacancy
4. **Public Safety Reports:** (Allocated time: 35 minutes)
  - 4.1 Honolulu Police Department (HPD)
  - 4.2 Honolulu Fire Department (HFD)
5. **New Business:** (Testimony limited to two (2) minutes)
  - 5.1 Kahumana Farms, Community Training Kitchen Facility – Presentation by Tom McDonald, Executive Director
  - 5.2 Update on proposed Off-Shore Wind Turbines at Ka'ena Point
  - 5.3 Update on City and County of Honolulu's Modular Housing Unit Project across of Wai'anae High School
6. **Community Reports:**
  - 6.1 Board of Water Supply (BWS)
  - 6.2 U.S. Army 25th Infantry Division
  - 6.3 Department of Land and Natural Resources
  - 6.4 Mayor Kirk Caldwell's Representative
  - 6.5 Councilmember Kymberly Pine
7. **Board Committees and Membership:**
  - 7.1 Education Committee: Calvin Endo and Kellen Smith

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- 7.2 Parks, Recreation, and Customer Service: Ken Koike
- 7.3 Hawaiian Affairs, Business, Economic Development, and Tourism: Shar Poe
- 7.4 Housing Committee: Marcus Paaluhi
- 7.5 Transportation Committee: Cedric Gates and Julie Cachola

**8. Board Administration:** (Allocated time: 30 minutes)

- 8.1 Approval of the June 7, 2016 regular meeting minutes
- 8.2 Treasurer's Report

**9. Reports of Members' Attendance at Other Meetings**

**10. Residents'/Community Concerns:** (Limited to two (2) minutes each.)

Items that are not listed on the agenda may be discussed but no Board action may be taken.

**11. Elected Officials or their Representatives:** (Limited to three (3) minutes each)

- 11.1 Governor David Ige's Representative
- 11.2 State Senator Maile Shimabukuro
- 11.3 State Representative Jo Jordan
- 11.4 State Representative Andria Tupola

**12. Announcements:**

- 12.1 The next regular meeting of the Waianae Neighborhood Board No. 24 is scheduled for Tuesday, July 5, 2016, 7:00 p.m. at the Waianae District Park Meeting Room.

**13. Adjournment**

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Assistant, Relley Araceley, Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone: (808) 768-3790, Fax: (808) 768-3711, or Email: [relley.araceley@honolulu.gov](mailto:relley.araceley@honolulu.gov); Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24 hours before the scheduled meeting.



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2016 JUN 28 PM 12:36

CITY AND COUNTY OF HONOLULU  
PLANNING COMMISSION

Meeting of the Planning Commission

DATE: July 6, 2016  
TIME: 1:30 p.m.  
PLACE: Pali Golf Course, 2<sup>nd</sup> Floor Banquet Hall, 45-050 Kamehameha Highway, Kaneohe, Hawaii

AGENDA

APPROVAL OF MINUTES: The minutes of June 8, 2016.

PUBLIC HEARING

Public hearing notice published in the Honolulu Star-Advertiser on June 24, 2016.

A BILL TO ADOPT THE REVISED KOOLAU POKO SUSTAINABLE COMMUNITIES PLAN FOR CITY AND COUNTY OF HONOLULU.

The purpose of this ordinance is to repeal the existing Sustainable Communities Plan (SCP) for Koolau Poko, Article 6, Chapter 24, Revised Ordinances of Honolulu 1990, and to adopt a new Article 6 incorporating the revised Koolau Poko Sustainable Communities Plan, which has been prepared in accordance with the prescribed requirements of Section 6-1509 of the Revised Charter of the City and County of Honolulu 1973, as amended.

The revised sustainable communities plan for Koolau Poko presents a vision for Koolau Poko's future development consisting of policies, guidelines, and conceptual schemes that will serve as a policy guide for more detailed zoning maps and regulations and for public and private sector investment decisions.

ADJOURNMENT

NOTE: If you require special assistance, auxiliary aid and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluluodpp.org](mailto:info@honoluluodpp.org) at least three business days prior to the event.

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2016 JUN 28 PM 1:43

HONOLULU POLICE COMMISSION  
City and County of Honolulu  
State of Hawaii  
Regular Meeting  
July 6, 2016

TIME: Wednesday, July 6, 2016, 2:00 p.m.  
PLACE: Honolulu Police Department, Alapai Station  
Conference Room A  
801 South Beretania Street, First Floor  
Honolulu, Hawaii 96813

AGENDA

- I. CALL TO ORDER
- II. ASCERTAINMENT OF QUORUM
- III. CHIEF OF POLICE REPORT
  1. Events
  2. Highlights
- IV. APPROVAL OF MINUTES FOR THE OPEN SESSION OF JUNE 1, 2016
- V. NEW BUSINESS
  1. Report on actions taken at the June 1, 2016, executive session
- VI. PUBLIC TESTIMONY
  1. Agenda Items
- VII. EXECUTIVE SESSION (Closed to the public)

The following agenda items will be reviewed in executive session pursuant to: HRS 92-5(a), subsections (2), (4), (5), (6) and (8): to consider discipline or charges affecting officer or employee privacy; to consult counsel on Commission powers, duties, privileges, immunities, and liabilities; to investigate possible criminal conduct; to consider sensitive public safety or security matters; and/or to consider information that by law or court order is confidential.

- A. Chief of Police report regarding sensitive matters relating to public safety or security
- B. Approval of the executive session minutes of June 1, 2016

VII. EXECUTIVE SESSION (Continued)

C. Executive Officer's Report

1. Status of investigations
2. Office status/personnel report

D. Personnel matters concerning the chief of police

VIII. RETURN TO OPEN SESSION FOR ANNOUNCEMENTS AND ADJOURNMENT

IX. ANNOUNCEMENTS

1. The next meeting of the Honolulu Police Commission will be on July 20, 2016, at 2 p.m.

X. ADJOURNMENT

Note: For those wishing to present written testimony, please submit your testimony to the Honolulu Police Commission, 1060 Richards Street, Suite 170, Honolulu, Hawaii 96813 by July 5, 2016. For those wishing to present oral testimony, please register thirty (30) minutes before the scheduled meeting. Persons not registered to speak on an agenda item should raise their hands at the time public testimony is invited (Item VI of the agenda) and they will be given an opportunity to speak following oral testimony by any registered speakers. Speaking time will be limited to three minutes.





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2016 JUN 28 PM 1:28

## **NOTICE OF MEETING**

Notice is hereby given that a meeting of the  
OAHU METROPOLITAN PLANNING ORGANIZATION  
**TECHNICAL ADVISORY COMMITTEE**

will be held on

Friday, July 8, 2016 at 9:00 a.m.

HART Board Meeting Room,

Ali'i Place, Suite 150

1099 Alakea Street, Honolulu, Hawaii

(entrance on Richards Street)

## **AGENDA**

- I. **Call to order by Chair**
- II. **Roll Call**
- III. **Approval of June 3, 2016 Meeting Minutes**
- IV. **Reports**
  - a. **Executive Director**
- V. **Old Business**
  - a. **None**
- VI. **New Business**
  - a. **Review Draft FFYs 2015-2018 Transportation Improvement Program Revision #12**

The Transportation Improvement Program (TIP) is a four-year schedule of surface transportation projects for Oahu, and it programs Federal funds for those projects. Revision #12 is a proposed amendment that can be reviewed here:  
[http://www.oahumpo.org/?wpfb\\_dl=1049](http://www.oahumpo.org/?wpfb_dl=1049).

*Requested Action:* Discuss and recommend FFYs 2015-2018 TIP Revision #12 for Policy Board consideration.
- VII. **Invitation to interested members of the public to be heard on matters not included on the agenda**
- VIII. **Announcements**
  - a. **The next scheduled meeting is August 12 but there are no action items identified at this time.**
- IX. **Adjournment**

### **Oahu Metropolitan Planning Organization**

Ocean View Center / 707 Richards Street, Suite 200 / Honolulu, Hawaii 96813-4623

Telephone (808) 587-2015 • (808) 768-4178 / Fax (808) 587-2018 / e-mail: [OahuMPO@OahuMPO.org](mailto:OahuMPO@OahuMPO.org) / website: [www.OahuMPO.org](http://www.OahuMPO.org)



DEPARTMENT OF PLANNING AND PERMITTING

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PUBLIC HEARING NOTICE

2016 JUN 28 PM 1:00

NOTICE IS HEREBY GIVEN that the Department of Planning and Permitting of the City and County of Honolulu will hold a public hearing for the purpose of adopting the proposed "**Rules Relating to Water Quality.**" The hearing will be held at the following time and location:

---

Date: Thursday, August 4, 2016

Time: 10:30 a.m.

Place: Mission Memorial Conference Room, Mission Memorial Building,  
550 South King Street, Honolulu, Hawaii

---

PURPOSE:

The proposed Rules Relating to Water Quality ("Rules") will replace the existing Rules Relating to Soil Erosion Standards (1999) and Rules Relating to Storm Drainage Standards, Section II (2000, as amended) in their entireties. The Rules will apply to all development and land disturbing activities within the City and County of Honolulu ("City"), and establish minimum requirements for the selection, design, implementation, and maintenance of best management practices to protect the City's municipal separate storm sewer system and Receiving Waters from pollutants that are associated with land disturbance, surface hardening, and land use activities.

Adoption of the Rules is one of the requirements of the City's National Pollutant Discharge Elimination System Permit, No. HI S000002.

Copies of the proposed amendments are available at <http://www.honoluludpp.org/ReportsNotices.aspx> or may be reviewed or obtained at the Department of Planning and Permitting, Site Development Division, 8<sup>th</sup> Floor, Frank F. Fasi Municipal Building, 650 South King Street, Honolulu, Hawaii 96813, during normal business hours (7:45 a.m. to 4:30 p.m., Monday thru Friday). Copies of the proposed amendments will also be mailed at no cost to any interested person who requests a copy by writing to the above address or by calling 808-768-8097.

All interested persons are invited to attend. Those persons desiring to testify may register prior to the public hearing at the public hearing site and are encouraged to submit one copy of their testimony in writing.

Attendance at the public hearing is not necessary to submit testimony. Written testimony may be faxed (808-768-4950) or mailed (650 South King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii 96813) to the department prior to the public hearing and will be considered in the evaluation of the request.

Note: If you require special assistance, auxiliary aid and/or service to participate in this event (i.e. sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluludpp.org](mailto:info@honoluludpp.org) at least three business days prior to the event.

George I. Atta, FAICP, Director  
Department of Planning and  
Permitting

(Honolulu Star-Advertiser: Tuesday, July 5, 2016)

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REMOTE CSID  
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Hobolulu Fire Department 808-723-7076

1/5

DAVID Y. IGE  
GOVERNOR

SHAN S. TSUTSUI  
LIEUTENANT GOVERNOR

LINDA CHU TAKAYAMA  
DIRECTOR

LEONARD HOSHINO  
DEPUTY DIRECTOR



STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)  
Phone: (808) 586-8844 / Fax: (808) 586-8099  
Email: [dilr.director@hawaii.gov](mailto:dilr.director@hawaii.gov)

STATE FIRE COUNCIL  
FIRE PREVENTION COMMITTEE MEETING NOTICE

Place of Meeting: Honolulu Fire Department Headquarters  
636 South Street  
Honolulu, Hawaii 96813

Date/Time of Meeting: July 6, 2016 at 9:30 a.m.  
July 7, 2016 at 8:30 a.m.

Distribute via facsimile: June 27, 2016

Office of the Lieutenant Governor (Filed)

Department of the Attorney General

Department of Labor and Industrial Relations  
Linda Chu Takayama, Director

Office of the City Clerk

State Fire Council (SFC)

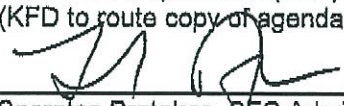
Department of Fire and Public Safety (MFD)  
(MFD to route copy of agenda to County Clerk)

Hawaii Fire Department (HCFD)  
(HCFD to route copy of agenda to County Clerk)

Honolulu Fire Department

Kauai Fire Department (KFD)  
(KFD to route copy of agenda to County Clerk)

Processed by:

  
Socrates Bratakos, SFC Administrator

Notice must be given six calendar days before meeting per Section 92-7, Hawaii Revised Statutes  
TOTAL PAGES (INCLUDING COVER SHEET): 5

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DIRECTOR

LEONARD HOSHIO  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
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HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)  
Phone: (808) 586-8844 / Fax: (808) 586-8089  
Email: [dilr.director@hawaii.gov](mailto:dilr.director@hawaii.gov)

STATE FIRE COUNCIL (SFC)  
FISCAL YEAR (FY) 2016-2017  
FIRE PREVENTION COMMITTEE (FPC) MEETING AGENDA

Honolulu Fire Department Headquarters  
636 South Street  
Honolulu, Hawaii 96813

July 7, 2016  
8:30 a.m.

I. Introduction

- A. Call to Order: Committee Chair Captain Paul Haake
- B. Introduction of Attendees
- C. Review of the SFC FPC July 6, 2016 minutes
- D. Approval of Agenda
- E. Unfinished Business and General Orders

II. New Business

Review of NFPA 1 Fire Code 2015 Edition

III. Selection of Dates/Location of Next SFC FPC Meeting

IV. Adjournment

**SFC FY 2016-2017 FPC Meeting Agenda**

Page 2

July 7, 2016

Individuals wishing to present an oral or written statement shall provide ten written copies of their statement 48 hours prior to the meeting to:

State Fire Council  
c/o Honolulu Fire Department  
636 South Street  
Honolulu, Hawaii 96813-5007

Oral statements shall be limited to five minutes. Written statements shall be limited to one side of an 8½" x 11" sheet of paper.

Auxiliary aids and services are available upon request. Please call the SFC at 808-723-7105 (voice) or the Department of Labor and Industrial Relations at 808-586-8847 (TTY) or 1-888-569-6859 (TTY neighbor islands). A request for reasonable accommodations should be made no later than three working days prior to the needed accommodations.

Should you have questions, please contact SFC Administrator Socrates Bratakos at 808-723-7151 or [sbratakos@honolulu.gov](mailto:sbratakos@honolulu.gov).

DAVID Y. IGE  
GOVERNOR

SHAN S. TSUTSUI  
LIGUTENANT GOVERNOR



LINDA CHU TAKAYAMA  
DIRECTOR

LEONARD HOSHIJO  
DEPUTY DIRECTOR

STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS  
830 PUNCHBOWL STREET, ROOM 321  
HONOLULU, HAWAII 96813  
[www.labor.hawaii.gov](http://www.labor.hawaii.gov)  
Phone: (808) 586-6844 / Fax: (808) 586-8099  
Email: [dllr.director@hawaii.gov](mailto:dllr.director@hawaii.gov)

STATE FIRE COUNCIL (SFC)  
FISCAL YEAR (FY) 2016-2017  
FIRE PREVENTION COMMITTEE (FPC) MEETING AGENDA

Honolulu Fire Department Headquarters  
636 South Street  
Honolulu, Hawaii 96813

July 6, 2016  
9:30 a.m.

I. Introduction

- A. Call to Order: Committee Chair Captain Paul Haake
- B. Introduction of Attendees
- C. Approval of Agenda
- D. Reading and Approval of the SFC FPC May 17-18, 2016, Meeting Minutes
- E. Unfinished Business and General Orders

II. New Business

- A. Designation of Meeting Minutes Recorder
- D. Review of NFPA 1 Fire Code 2015 Edition

III. Adjournment

**SFC FY 2016-2017 SFC FPC Meeting Agenda****Page 2****July 6, 2016**

Individuals wishing to present an oral or written statement shall provide ten written copies of their statement 48 hours prior to the meeting to:

State Fire Council  
c/o Honolulu Fire Department  
636 South Street  
Honolulu, Hawaii 96813-5007

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Should you have questions, please contact SFC Administrator Socrates Bratakos at 808-723-7151 or [sbratakos@honolulu.gov](mailto:sbratakos@honolulu.gov).



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2016 JUN 27 AM 7:48

BOARD OF PARKS AND RECREATION  
REGULAR MEETING  
KAILUA DISTRICT PARK  
21 SOUTH KAINALU DRIVE  
KAILUA, HAWAII  
JUNE 30, 2016  
2:00 P.M.

Board Members: Randall H. Harakal, Chair; Pamela Bell Martin, Co-Vice Chair;  
Robert (Bob) Vieira Co-Vice Chair; Li Cobian; Robert K. Cundiff; Roger A. Dequina;  
Toni P. Robinson; Gary Pacarro; Ricky H Taniguchi

AGENDA

- I Recognition of quorum and call to order
- II Approval of meeting minutes of April 29, 2016
- III Director's Report –Michele Nekota
- IV Presentation by Kahi Pacarro, Executive Director, Sustainable Coastlines Hawaii
- V Request from the Downtown Neighborhood Board to revise the night closure hours of Smith Beretania Park from 7:00 a.m. to 7:00 p.m. to 5:00 a.m. to 10:00 p.m.
- VI Selecting location and time of next meeting.

VII Adjournment

w/June 30 Agenda

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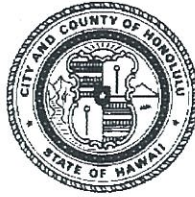


2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

Web Site:  
[honoluluchartercommission.org](http://honoluluchartercommission.org)



#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

THURSDAY, JUNE 30, 2016  
3:30 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

#### AGENDA

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2016 JUN 24 PM 4:29

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each testifier shall not have anyone else read the testifier's statement. Each testifier is limited to three minutes per agenda item.

### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. DISCUSSION AND ACTION

Deliberation and decision-making on the Findings and Recommendations of the Permitted Interaction Group Established to Review Proposals Relating to Oversight and Powers over Specific Functions pursuant to Hawaii Revised Statutes §92-2.5(b). See Attachment 1 for the report detailing the findings and recommendation of this permitted interaction group.

### III. DISCUSSION AND ACTION

Deliberation and decision-making on the Findings and Recommendations of the Permitted Interaction Group Established to Review the Request by Mayor Kirk Caldwell sent on April 17, 2016, relating to the Grant in Aid Fund. See Attachment 1 for the report detailing the findings and recommendation of this permitted interaction group.

#### IV. DISCUSSION AND ACTION

Discussion and decision-making on the Report of the Style Committee Meeting of June 30, 2016:

- Proposal 3 to increase the availability of moneys in the Affordable Housing Fund for at least sixty years;
- Proposal 23 to conform the county public records laws to state requirements to ensure greater access to public records;
- Proposal 36 to modify the deadline by which the Charter Commission must send Charter proposals to the City Clerk prior to the General Election;
- Proposal 40 to provide for a 5-year review of boards and commissions and their sunset if indicated;
- Proposal 42 to prohibit concurrent service on a neighborhood board and the Neighborhood Commission and delete previous service requirement;
- Proposal 44 amend the term limits for the Mayor, Councilmembers, the Prosecuting Attorney and Neighborhood Board members;
- Proposal 54 to provide functional plans for the Departments of Environmental Services, Facility Maintenance, Parks and Recreation, and Transportation Services and for the Board of Water Supply;
- Proposal 76A to improve public transit;
- Proposal 80 to provide for the Mayor's designation for the signing of documents;
- Proposal 102 to establish a Youth Commission;
- Proposal 116 to specify requirements for use of the Clean Water and Natural Lands Fund and establish an advisory commission;
- Proposal 120 to require 20-year plus functional plans for wastewater, transportation, and parks and recreation facilities;
- Proposal 153 to provide a clear standard of conduct in the ethics language relating to gifts from lobbyists;
- Proposal C-5 to establish a Department of Land Preservation and Enhancement and provide for its powers, duties and functions.

See Attachment 2.

Copies of the Report will be available at the meeting.

V. DISCUSSION AND ACTION

Discussion and action on the City agency review of Proposal 77 to add planning, engineering, design, construction, and installation to the Departments of Design and Construction, Enterprise Services, Environmental Services, Facility Maintenance, Transportation Services; Information Technology, and Parks and Recreation. See Attachment 3.

VI. DISCUSSION AND ACTION

Discussion and decision-making on:

- Proposal 81 to provide for dimensional zoning variance criteria;
- Proposal C-3 to establish a Honolulu Zoo Fund to consist of 0.5 percent of the estimated real property tax revenues and to designate how the Fund may be used.

See Attachment 4.

VII. ANNOUNCEMENTS

Next meeting date.

VIII. ADJOURNMENT

**Combined Report on the Findings and Recommendations of the  
Permitted Interaction Group**

**Established to Review Proposals Relating to  
Oversight and Powers Over Specific Functions**

**and the  
Permitted Interaction Group**

**Established to Review the Request by Mayor Caldwell  
sent on April 17, 2016 relating to the**

**Grant In Aid Fund**

**June 23, 2016**

**Members:**

**Gov. John D. Waihee III, Chair**

**Reginald Castanares Jr.**

**Donna Ikeda**

**Edlyn Taniguchi**

**R. Brian Tsujimura**



## ATTACHMENT 1

### Report of the Permitted Interaction Group (PIG)

- **Oversight and Powers Over Specific Functions**

**Proposal #4 Removal of the Corporation Counsel.**

Upon review of this proposal and after extensive discussion the PIG has decided that this proposal may be premature. There was no overwhelming response to the proposal either for or against. The Corporation Counsel herself did not have a position. In view of the other proposals to be considered we have decided that the PIG request that the Commission hold or defer this proposal .

**Proposal #78 Creation of Funds. Section 9-202 of the Charter**

Upon considerable discussion, the members of the PIG have concluded that the Charter in its essence conceived of a balance between the powers of the council and the mayor in the creation of special funds. We believe that the council has the authority to create special funds, and that the mayor may request the creation of special funds. That is inherent we felt in the Charter's provisions. But if there was any ambiguity on this point we have suggested amendments to sections 3-101 and 4-101 to clarify this authority. We also believe the current disagreement over the interpretation and effect of section 9-202 is misplaced and has been enhanced by corporation counsel opinions over the years. Therefore we suggest that section 9-202 be clearly amended to allow either the mayor or council to initiate a special fund. We make this proposal to maintain the balance between the mayor and council envisioned by the Charter, the mayor should be able to veto and the council allowed to override such veto of the creation of the special fund. Research has disclosed that the council is engaged in activity rightfully belonging to the executive branch, but euphemistically referred to as policy positions, when in fact these positions are administrative in nature. We believe that section 9-105(2) which does not allow the council to reprogram monies in the budget but reserves such amendments to the annual executive budget to be solely reserved to the

mayor requires further consideration, as in the PIGs opinion, the current practice of the council in budgeting administrative positions in the legislative budget may be in part due to this inability to reprogram monies in the executive budget which has not been released. This tension between the executive and legislative branches is a good one, and is the hallmark of our balance in our democracy. That said, there are and should be limits to the extent one branch can infringe or thwart or invade the others prerogatives. Thus we begin by reiterating that the legislative and executive branch have specific powers and they should respect and honor that delineation.

Proposals #s 6,20, and 88. Relating to the Board of Water Supply.

There was considerable discussion over the autonomy and lack of oversight of the Board of Water Supply (BWS) in rate making and bond issuance. PIG members were concerned over the previous problems caused by increased rates to users, and a lack of explanation for such increases and the subsequent waiver of some of such increases upon complaints. Thus the PIG is suggesting that language be inserted in the appropriate sections of sections 7-105 and 7-110 to require that the BWS seek council approval before issuing revenue bonds; and that the council be advised if the BWS is amending its rates, and requiring a certain number of publicized, public hearings to be held before such rate amendments are implemented or approved by the board of the BWS.

Proposal: Prosecuting Attorney Budget

After careful consideration the PIG members have concluded that the current process by which the budget of the office of the prosecuting attorney is approved should be amended to prohibit the ability of the administration to withhold funds otherwise appropriated to the office. That does not mean that the office should not have its budget scrutinized as is current practice, and that the administration cannot reduce or amend



said budget, nor that the office is prohibited from requesting increases from council, or that the administration and mayor could not veto the budget as is the norm. PIG members feel that once the budget or any supplemental appropriation is enacted, the administration should not be able to otherwise restrict that budget or appropriation.

- Grant in Aid

Proposal

Upon extensive discussion the PIG has decided that the effectiveness of section 9-205 has been compromised with the ability of the council to add specific Grants-In-Aid (GIA) which did not receive funds through the process articulated and executed under section 9-205. PIG members are not taking any position on the issuance of GIAs or to whom.

We believe, however, that if a system is established the council should abide with the system so established. If not it makes a mockery of the section, and rewards political prowess, not merit if the current sections provisions are effectively bypassed. We further believe that because of the complexity of issuing GIAs this process is better handled by city ordinances. Thus we suggest that section 9-205 be deleted in its entirety, and the original GIA process preceding its enactment be re-instituted. PIG members do not feel that the GIAs will be affected since the process will reflect the policy prerogatives of the city.

Board of Water Supply  
Oversight

Section I. Powers.

Section 7-105 of the Charter is amended to read as follows:

Section 7-105. Powers, Duties and Functions of the Board of Water  
Supply

The board of water supply shall:

- (a) Appoint and remove the manager and chief engineer of the department. The manager and chief engineer shall be a registered engineer who shall have had a minimum of five years of training and experience in waterworks activities or related fields, at least three years of which shall have been in a responsible administrative capacity.
- (b) Fix the salary of the manager and chief engineer.
- (c) Have the authority to create and abolish positions.
- (d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.
- (e) Have the authority to acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the construction, maintenance, repair, extension or operation of the water systems of the city. The council shall take no action to acquire real property or any interest therein for the department without the written approval of the board.
- (f) Have the authority to recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of

## ATTACHMENT 1

the department. The council shall take no action to dispose of such property without the prior approval of the board, and all proceeds from the disposition of such property shall be paid into the special fund of the department. The department may not otherwise sell, exchange, transfer, or encumber any real property or any interest therein which is under its control, nor shall it consider such sale, exchange, encumbrance of any real property or any interest therein without first obtaining the approval of the council and the mayor.

(g) Have the authority to enter into arrangements and agreements, as it deems proper for the joint use of poles, conduits, towers, stations, aqueducts, and reservoirs, for the operation of any of the properties under its management and control.

(h) Have the authority to issue revenue bonds under the name of "board of water supply[=]" subject to the approval of the council.

(i) Modify, if necessary, and approve and adopt annual operating and capital budgets submitted by the manager and chief engineer.

(j) Prescribe and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of the charter, including

(1) the regulation of water systems and necessary appurtenances for subdivisions and other properties and requirements for adequate water supply and storage facilities for domestic use and fire protection,

(2) the prevention of waste and pollution of water,

(3) the manner in which new wells or shafts may be bored, drilled or excavated, cased and capped or recased,

(4) the manner in which wells or shafts shall be maintained, controlled and operated to prevent waste of water or the impairment of potability,

(5) the limitation to beneficial uses of all water,

## ATTACHMENT 1

(6) in times of shortage or threatened shortage of water or of danger to potability of the water of any ground water basin or area by overdraft on such basin, the restriction of the drawing of water in all wells supplied from such basin on a basis proportionate to the proper and beneficial uses served by them respectively, and

(7) other matters having for their object the proper conservation and beneficial use of the water resources available for the city.

(k) Hear appeals from the order of the manager and chief engineer refusing, suspending or revoking any permit for the sinking, drilling or reopening of any well or shaft for the development of underground water supply.

### Section 2. Rates

Section 7-110 is amended to read as follows:

#### Section 7-110. Public Hearings

Prior to fixing and adjusting rates and prior to the adoption of the annual operating and capital budgets, the board shall:

(a) Hold a minimum of three public hearings; and

(b) Submit to the council for review and comments such rates and budgets.

ATTACHMENT 1

Charter Amendments  
For  
Authority to Establish Special Funds

Section 1. Legislative Authority

Amend Section 3-103 of the Charter to read as follows:

Section 3-101. Legislative Power

The legislative power of the city shall be vested in and exercised solely by the city council, except as otherwise specifically provided by this charter.

Section 2. Mayoral Authority

Amend Section 4-101 of the Charter to read as follows:

Section 4-101. Executive Power

The executive power of the city shall be vested in and exercised solely by the mayor, as chief executive officer, except as otherwise specifically provided by this charter.

Section 3. Creation of Special Funds

Amend Section 9-202 of the Charter to read as follows:

Section 9-202. Creation of Funds

In addition to the funds established by this charter, the council ~~[on its own initiative]~~ or ~~[on the recommendation of]~~ the mayor upon the approval of the council, may establish other funds ~~[when the council deems it necessary and]~~ when no appropriate class of funds exists.



Budget of the Prosecuting Attorney  
Proposed charter amendment to  
Section 9-106. Administration and Enforcement of the Budget Ordinances

1. Administration and enforcement of the legislative budget ordinance:  
Immediately following the enactment of the legislative budget ordinance, the presiding officer of the council shall submit to the director of budget and fiscal services a schedule showing the expenditures of the legislative branch anticipated for each quarter of the fiscal year. The schedule shall not require the approval of nor can it be altered by the mayor, and the council may proceed without any other authority to incur obligations and make expenditures after the schedule has been submitted. The director of budget and fiscal services shall approve or issue any requisition, purchase order, voucher, warrant or contract, in accordance with the schedule and upon request of the presiding officer of the council. Barring judicial order prohibiting the honoring of any specific requisition, purchase order, voucher, warrant or contract, the director of budget and fiscal services shall process the same for payment within three working days from the date of receipt thereof. Appropriations for the legislative branch shall be considered valid only for the fiscal year for which made, and any part of such appropriation which is not encumbered or expended shall lapse at the end of the fiscal year.

2. Administration and enforcement of the executive operating budget ordinance:

(a) The enactment of the executive operating budget ordinance or any supplementary appropriation shall constitute an appropriation of the sums specified therein for the purposes and from the funds indicated. Such appropriation shall be considered valid only for the fiscal year for which made, and any part of such appropriation which is not encumbered or expended shall lapse [to]at the end of the fiscal year. Executive agencies authorized to make expenditures under the executive operating budget ordinance may proceed without other authority from the council to incur obligations or make expenditures for proper purposes to the extent that the moneys are available.

(b) Immediately following the enactment of the executive operating budget ordinance, the heads of all executive agencies, including the Prosecuting



Attorney, shall submit to the director of budget and fiscal services schedules, supported by work programs, showing the expenditures anticipated for each quarter of the fiscal year.

(c) ~~Excepting the Prosecuting Attorney, [T]T~~ the approval of an expenditure schedule by the mayor shall constitute a budgetary allotment which shall, unless a revision thereof is approved by the mayor, be binding upon such agencies. The director of budget and fiscal services shall approve or issue no requisition, purchase order, voucher or warrant that is not in accordance with an allotment.

(d) ~~Excepting the Prosecuting Attorney, [T]T~~ the allotments herein provided may be altered at any time by the mayor. The mayor shall direct appropriate revisions in allotments to keep expenditures within the revenues received or anticipated.

(e) The expenditure schedule submitted by the Prosecuting Attorney shall constitute a budgetary allotment, without the approval by the mayor, which shall, unless a revision thereof by the Prosecuting Attorney, be binding upon the Prosecuting Attorney. The director of budget and fiscal services shall approve or issue no requisition, purchase order, voucher or warrant that is not in accordance with an allotment. The allotments herein provided may not be altered at any time by the mayor. The mayor shall not direct appropriate revisions in allotments to keep expenditures within the revenues received or anticipated.

(~~e~~)f) Any part of an allotment which is not expended or encumbered shall lapse at the end of the allotment period.

(~~f~~)g) The mayor may transfer an unencumbered appropriation balance or portion thereof within the same department only as prescribed by law. Transfers between departments shall be made only by the council by ordinance upon the recommendation of the mayor.

(~~g~~)h) The director of budget and fiscal services and the director's surety shall be liable for moneys withdrawn from any operating fund other than in accordance with the executive operating budget ordinance and allotments.

### 3. Administration and enforcement of the executive capital budget ordinance:

(a) Appropriations authorized in the executive capital budget ordinance or any supplementary appropriation shall be considered valid only for the fiscal year for which made and for twelve months thereafter, and any part of such appropriations which is not expended or encumbered shall lapse twelve months after the end of the fiscal year. Agencies authorized to make



## ATTACHMENT 1

### Grants-In-Aid

Delete Section 9-205.

~~[Section 9-205. Grants in Aid Fund]~~

~~1. There shall be established a Grants in Aid Fund. Monies in the Grants in Aid Fund shall be used by the city to award grants in aid to federal income tax exempt non profit organizations that provide services to economically and/or socially disadvantaged populations or provide services for public benefit in the areas of the arts, culture, economic development or the environment.~~

~~2. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one half of one percent of the estimated general fund revenues which shall be deposited into the Grants in Aid Fund.~~

~~3. No less than \$250,000 from the Grants in Aid Fund shall be expended annually in each council district.~~

~~4. At any given time, no more than five percent of the moneys in the Grants in Aid Fund shall be used for administrative expenses.~~

~~5. Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purpose except those listed in this section.~~

~~6. The council may waive the requirements of this section of the charter pertaining to the annual appropriation of general fund revenues to the grants in aid fund for any particular fiscal year, when the council finds by a two-thirds vote of its entire membership that an emergency due to a public calamity exists or the city could not otherwise fulfill its legal obligations.~~

~~7. There shall be established a grants in aid advisory commission to advise the city on grants issued under this section. The commission shall consist of seven members appointed by the mayor who shall serve for staggered terms of five years and until their successors have been appointed and qualified.~~

ATTACHMENT 1

~~The initial appointments shall commence no later than January 15, 2013, and shall be as follows:~~

~~(a) For a two year term, two members.~~

~~(b) For a three year term, two members.~~

~~(c) For a four year term, two members.~~

~~(d) For a five year term, one member.~~

~~8. The council shall by ordinance establish procedures for the administration and expenditure of the moneys in the fund.]~~

## ATTACHMENT 2

### Proposal 3. Brandon Elefante, Council-member

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

As amended by the Housing Permitted Interaction Group:

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.

## ATTACHMENT 2

### Proposal 23. Civil Beat Law Center for the Public Interest

The Proposed Amendment conforms the Charter's language regarding public records to State law and removes redundant language.

- a. Access to public records cannot be limited to citizens. The Uniform Information Practices Act (Modified), HRS ch. 92F (UIPA), provides: "Except as provided in section 92F-13, each agency upon request by *any person* shall make government records available for inspection and copying during regular business hours. . . ." HRS § 92F-11(b) (emphasis added).
- b. The Chief of Police and the Prosecuting Attorney do not have absolute discretion to withhold records maintained by the police department or office of the prosecuting attorney, respectively. As reflected in the UIPA citation above, the only exceptions to State law are provided by section 92F-13. E.g., OIP Op. No. 98-01 at 5 n.4 (public records under the UIPA cannot be made confidential by charter or ordinance); OIP Op. No. 95-14 at 6-7.
- c. The disclosure provision for traffic accident records is redundant of and cannot contradict HRS § 291C-20.

#### "Section 13-105. Records Open to the Public—

[All]Except as otherwise provided by law, all books and records of the city shall be open to the inspection of any person [citizen] at any time during business hours. Certified copies or extracts from such books and records shall be given by the officer having custody of the same to any person demanding the same and paying or tendering a reasonable fee to be fixed by the council for such copies or extracts. [, but the records of the police department or of the prosecuting attorney shall not be subject to such inspection unless permission is given by the chief of police or the prosecuting attorney, except in the case of traffic accidents where such records, including all statements taken, shall be available for inspection by the parties directly concerned in such accident, or their duly licensed attorneys acting under written authority signed by either party. Any person who may sue because of death resulting from any such accident shall be deemed a party directly concerned.]"

## ATTACHMENT 2

### Proposal 36. Paul Oshiro

Modify the deadline by which the Charter Commission must forward to the City Clerk proposals to amend the Charter.

#### Amended by Commission:

##### Section 15-105. Mandatory Review --

1. After November 1 of every year ending in "4," but before the immediate following February 1, the mayor and the presiding officer of the council shall appoint a charter commission consisting of thirteen members to study and review the operation of the government of the city under this charter. The mayor shall appoint six members; the presiding officer of the council, with the approval of the council, shall appoint six members; and the thirteenth member shall be appointed by the mayor and confirmed by the council.

For the 2005 charter commission, Section 16-127 shall prevail over any conflicting provision of this subsection.

2. The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment, except as otherwise provided under Section 16-127 for the 2005 charter commission. The commission shall act by majority vote of its membership and shall establish its own procedures. The commission shall be recognized as a constituent body, and its members shall not, in any manner, be deemed officers of the city. The commission and its members shall be subject only to provisions of this article, Section 3-114, and Section 3-502 of the charter.

3. The commission may propose amendments to the existing charter or a draft of a revised charter, which shall be submitted to the city clerk at any time prior to **[September 1] five working days before the deadline for submitting ballot questions for placement on the general election ballot as established in State law** of the year ending in "6" that immediately follows the appointment of the commission. Upon receipt of the amendments or revised charter, together with ballot language prepared by the commission, the clerk shall provide for the submission of such amendments or revised charter to the electors of the city at the next general election.

4. The commission shall publish, not less than forty-five days before any election at which charter amendments or a revised charter are submitted, at least once in a daily newspaper of general circulation within the city, a brief digest of the amendments or revised charter and a notice to the electorate that copies of the amendments or revised charter are available at the office of the city clerk..

## ATTACHMENT 2

### **Proposal 40. Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.

### **Proposed amendment:**

The Revised Charter of the City and County of Honolulu is amended by adding a new Article XVIII, which shall read as follows:

#### **Article XVIII Sunset of Boards and Commissions.**

Section 18-001. The council shall prepare an evaluation of at least one third of each board or commission of the county, every five years, which shall include the amount budgeted for and expended by the board and commission for the preceding five years, the annual average staff time allocated to the board and commission, the number of decisions made for each of the preceding five years, the impact if such board or commission were to sunset, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission. This evaluation shall be provided to the voters as part of the ballot issue, described in section 18-003

Section 19-002. Every board and commission of the county shall be subject to such review, except for boards created or required by state constitution or statute.

Section 18-003. A minimum of one third of all boards and commissions shall be placed on the general election ballot every five years, beginning in the 2018 election cycle. The council shall determine which boards or commissions shall be placed on the ballot. There shall be a ballot issue for each board or commission so named, included in the November election which shall ask the voters separately, whether each and every board or commission so named shall be retained. The ballot issue shall include the annual and previous ten year cost of each board and commission. If a board and



## ATTACHMENT 2

commission does not receive more than fifty percent of the votes cast said board or commission shall summarily sunset before January 1st of the subsequent year following said election.

Section 18-004. Any board or commission which is subject to sunset under section 18-003 shall not be re-enacted by the council unless two years have passed after such sunset.

## ATTACHMENT 2

### Proposal 42. Paul Oshiro

As approved by the Commission at the June 17, 2016 meeting:

#### **"Section 13-119. Dual Offices or Positions --**

No person shall hold more than one public office or position under the city[, **except**]; **provided** that city officers and employees shall not be precluded from membership on a neighborhood board; **provided further that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission.** No city officer or employee shall be a member of the state civil service commission, nor shall any city officer or employee hold a public office or position under the federal or state government which would be inconsistent or incompatible with or would tend to interfere with the duties of the city office or position. The term "public office," as used in this section of the charter, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief."

#### **"Section 14-102. Neighborhood Commission --**

There shall be a neighborhood commission which shall consist of nine members chosen from the city at large. The mayor shall appoint four members, **[at least two of whom shall have served on a neighborhood board for at least one full term. The]** **and the** presiding officer of the council, with the approval of the council, shall appoint four members**[, at least two of whom shall have served on a neighborhood board for at least one full term].** The ninth member shall be appointed by the mayor and confirmed by the council. **[The ninth member shall have served on a neighborhood board for at least one full term.]**

The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment.

The commission shall act by majority vote of its membership and shall establish its own procedures. Commission members shall be compensated and reimbursed for their necessary expenses as provided by ordinance. The council shall appropriate funds to the neighborhood commission necessary for the performance of its official duties.

The terms of members initially appointed shall be for five years, and their successors shall serve for staggered terms of five years in the manner provided in Section 13-103(c) of this charter."

#### **"Section 16- . Transitional provisions for the requirement that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission—**

**The requirement that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission shall only apply to appointments made to the Neighborhood Commission on or after the second day of January 2017. All Neighborhood Commission members appointed prior to the second day of January 2017 shall be allowed to complete their present term on the Neighborhood Commission."**

## ATTACHMENT 2

### **Proposal 44. Paul Oshiro**

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The electors of the city shall elect a prosecuting attorney whose term of office [of the prosecuting attorney] shall [commence] **be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards[, **their terms of office**] and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

## ATTACHMENT 2

### **Proposal 54. Cheryl Soon**

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

#### Article VI

- Chapter 8 Section 6-803
  - Chapter 9 Section 6-903
  - Chapter 14 Section 6-1403
  - Chapter 15 Section 6-1509
  - Chapter 17 Section 6-1703
- Article VII      Section 7-103

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

#### **Chapter 8 Department of Environmental Services**

##### Section 6-803

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- a) Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- b) Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- c) Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 9 Department of Facilities Maintenance**

##### Section 6-903

Add new duties.

## ATTACHMENT 2

- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

### **Chapter 14 Department of Parks and Recreation**

#### Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

### **Chapter 17 Department of Transportation Services**

#### Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

**In Article VII Board of Water Supply** add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amended by the Commission:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

#### **Article IX Financial Admin. 9-103:**

## ATTACHMENT 2

(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.



## ATTACHMENT 2

### Proposal 76A. City and County of Honolulu, Office of the Managing Director

#### CHARTER COMMISSION PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)

#### REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES

##### **Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

##### **Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.

## ATTACHMENT 2

### **REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

#### **Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:

(a) Three members shall be appointed by the mayor without necessity of council confirmation;

(b) Three members shall be appointed by the council; and

(c) One member shall be nominated and, upon council confirmation, appointed by the mayor.

The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:

(a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and

(b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years.

A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

#### **Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:

(a) Adopt rules for the conduct of its business.

(b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also

## ATTACHMENT 2

consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

### **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

#### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

#### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting

## ATTACHMENT 2

to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

## ATTACHMENT 2

(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

### **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

## ATTACHMENT 2

- (f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.
- (g) Prepare and maintain a six-year capital program.
- (h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.
- (i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.
- (j) Review development projects having significant impact on the development of the fixed guideway system.
- (k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (l) Attend all meetings of the board unless excused.
- (m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

### **Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

### **Section 17-114. Transit Fund --**



## ATTACHMENT 2

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

### **Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

### **NEW TRANSITION PROVISIONS**

#### **Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.

3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

### **REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF TRANSPORTATION COMMISSION.**

## ATTACHMENT 2

### **Proposal 80. City and County of Honolulu, Office of the Managing Director**

Expand to allow delegation of Mayor's authority to sign documents requiring execution by the City unless otherwise provided by charter, ordinance or resolution.

#### **Amended by Commission:**

#### **Section 5-103. Powers, Duties and Functions –**

The mayor shall be the chief executive officer of the city. The mayor shall have the power to:

(h) Sign, or designate the managing director, the deputy managing director, and any person appointed as the administrative head of an office or department of the executive branch to sign, instruments requiring execution by the city, except those which the director of budget and fiscal services or other officer is authorized to sign by this charter, ordinance or resolution.

## ATTACHMENT 2

### **Proposal 102. Ryan Akamine**

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from “underrepresented communities” to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

### **Amendment Sent to Style:**

Proposed Amendment: Youth Commission

### **STATEMENT REGARDING THE CREATION OF A YOUTH COMMISSION**

Shall the City and County of Honolulu Charter be amended to establish a Youth Commission?

### **Plain Language Statement:**

The proposed Charter amendment would create a Youth Commission to advise the City Council and Mayor on issues relating to children and youth, express the policy priorities of Honolulu’s youth, to create and develop future leaders, and to increase youth involvement in the shaping of public policy. The Commission would be composed of fifteen members from the ages of 14 to 24 appointed by the City Council and the Mayor. The fifteen members shall reflect the diversity of the people of the City and County of Honolulu, including ethnicity, race, gender, sexual orientation, and socioeconomic status. The Youth Commission may employ staff as necessary. The Youth Commission would respond to requests for comment from the City Council and Mayor.

YES FOR APPROVAL \_\_\_\_\_

NO FOR REJECTION \_\_\_\_\_

If approved, the Charter would include the following language:

§ 6-107.

### **YOUTH COMMISSION**

## ATTACHMENT 2

1. There shall be an independent youth commission consisting of fifteen members, each of whom shall be between the ages of 14 and 24 years at the time of appointment and shall serve for staggered terms of two years. Each council member shall appoint one member and the mayor shall appoint six members. Five of the members appointed by the mayor shall be from underrepresented communities reflecting the diversity of the people of the City and County of Honolulu, such as ethnicity, race, gender, sexual orientation, and socioeconomic status. The initial appointments shall commence no later than August 1, 2017, and shall be as follows:

A. ONE YEAR: Eight members, three appointed by the mayor and one each appointed by the council members representing districts 1, 3, 5, 7, and 9

B. TWO YEARS: Seven members, three appointed by the mayor and one each appointed by the council members representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall elect a chair from among its members and the commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the City and County of Honolulu. The commission shall also express the policy priorities of the children and youth of the City and County of Honolulu. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, departments, agencies, boards, commissions and advisory committees of the City and County of Honolulu.

3. The commission and City Council may establish its rules of procedure and adopt rules and regulations pursuant to law.

4. The commission may employ staff as is necessary to assist it in the performance of its duties.

5. Members of the commission may receive a stipend as determined by the council.

## ATTACHMENT 2

### **Proposal 116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O'ahu and high demand by voters for more conservation of land. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

#### **Proposed language:**

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in

## ATTACHMENT 2

order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.



## ATTACHMENT 2

### Proposal 120 APA

#### FUNCTIONAL PLANNING CHARTER AMENDMENT PROPOSAL

The purpose of this proposal is to require the preparation of functional plans for wastewater facilities, transportation systems, and parks and recreational facilities. The functional plans would be required to cover a period of at least twenty years and be consistent with the pattern of growth specified by the General Plan and Development Plans. The Charter presently does not require the preparation of functional plans.

This Charter amendment is necessary because Oahu's pattern of growth and development is highly dependent on the availability of infrastructure. Functional plans can be an effective tool to accommodate growth in certain areas of the city, while constraining growth in others. While the General Plan and Development Plans specify a desired pattern of growth, infrastructure systems and public services must be planned in advance to accommodate planned development.

The director of design and construction shall:

- (a) Direct and perform the planning, engineering, design, construction and improvement of public buildings.
- (b) Direct and perform the planning, engineering, design and construction of public streets, roads, bridges and walkways, and drainage and flood improvements.
- (c) In consultation with the respective departments, [direct and perform] implement the project planning, engineering, design and construction of wastewater facilities, parks and recreational facilities, and transportation systems specified in the respective functional plans.

#### Section 6-803. Powers, Duties and Functions

The director of the department of environmental services shall:

- (a) Prepare a long-range functional plan for wastewater facilities of the city, covering a period of at least twenty years, and consistent with the pattern of growth specified in the General Plan and Development Plans.
- [(a)] (b) Advise the director of design and construction concerning the project planning and design of wastewater facilities.
- [(b)] (c) Oversee the operation and maintenance of sewer lines, treatment plants and pumping stations.
- [(c)] (d) Monitor the collection, treatment and disposal of wastewater.
- [(d)] (e) Provide chemical treatment and pumping of defective cesspools.
- [(e)] (f) Develop and administer solid waste collection, processing and disposal systems.
- [(f)] (g) Promulgate rules and regulations as necessary to administer and enforce requirements established by law.
- [(g)] (h) Perform such other duties as may be required by law.

## ATTACHMENT 2

### **Section 6-1403. Powers, Duties and Functions**

The director of parks and recreation shall:

(a) Prepare a long-range functional plan for parks and recreational facilities of the city, covering a period of at least twenty years, and consistent with the pattern of growth specified in the General Plan and Development Plans.

[(a) (b) Advise the director of design and construction on the project planning and design of the parks and recreational facilities of the city, and maintain and operate all such facilities.

[(b)] (c) Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.

[(c)] (d) Beautify the public parks, facilities and streets of the city, including, but not limited to, the planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets.

[(d)] (e) Process permit applications to use city parks and recreational facilities for free or affordable child day care programs for consideration by the council pursuant to Section 3-123 of this charter, provided that the director finds that such use does not interfere with the public's use of the property for park and recreational purposes.

### **Section 6-1503. Powers, Duties and Functions**

The director of planning and permitting shall:

(a) Prepare a general plan and development plans, and revisions thereof, for the improvement and development of the city.

(b) Establish procedures for adopting and revising the general plan and development plans and amending state land use district boundaries. The director's procedures shall include provisions for the processing of any proposed revision to the general plan or development plans which is submitted with the prescribed level of supporting documentation, regardless of whether the proposal is supported by the director or the council. However, a proposal lacking such support shall be processed as an "unendorsed proposal" under the provisions of this chapter.

(c) Review the executive operating and capital program and budget for conformance to the purposes of the general and development plans and make a written report of findings to the council within thirty days after receipt of such program and budget.

(d) Prepare and submit to the council on at least a biennial basis a report on the condition of the city in terms of the general plan and development plans. In addition, the director shall prepare and submit to the council an annual report on the current status of land use and other data pertaining to the development plans.

(e) Undertake studies and prepare plans for special planning areas and issues.

(f) Perform other functions that will promote comprehensive planning, public participation and an efficient planning process.

(g) Prepare zoning ordinances, maps and rules and regulations and any amendments thereto.

(h) Prepare the land subdivision code and rules and regulations and any amendments thereto.

## ATTACHMENT 2

- (i) Establish procedures for the review of land utilization applications.
- (j) Be charged with the administration and enforcement of the zoning, subdivision, park dedication, building and housing ordinances, and rules and regulations adopted thereunder, and any regulatory laws or ordinances which may be adopted to supplement or replace such ordinances.
- (k) Review the following for conformance to city standards:
  - (1) Plans for wastewater facilities for other than city projects;
  - (2) Plans for construction, reconstruction, widening and maintenance of public streets and roads, including utilities, landscaping, street lighting, traffic control and related items;
  - (3) Plans for the construction, reconstruction and maintenance of bridges and walkways and drainage and flood control systems.
- (l) Review the following for conformance to the general plan and development plans:
  - (1) Wastewater functional plan;
  - (2) Parks and recreational facilities functional plan;
  - (3) Transportation systems functional plan.

### **Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) [Plan] Prepare a long-range functional plan for the city's transportation systems covering a period of at least twenty years, operate and maintain transportation, including transit, systems to meet public transportation needs, in accordance with the general plan and development plans, and advise on the design and construction thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.

## ATTACHMENT 2

### Proposal 153. Donna Ikeda

Amended by Commission on 4/29/16 and sent to Style

#### Section 11-102. Conflicts of Interest --

1. No elected or appointed officer or employee shall:
  - (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form[, under circumstances in which]:
    - (1) If it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties[.], or is intended as a reward for any official action; or
    - (2) From a lobbyist registered with the city.

Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

  - (b) Disclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.
  - (c) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.
  - (d) Receive any compensation for such person's services as an officer or employee of the city from any source other than the city, except as otherwise provided by this charter or by ordinance.
  - (e) Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law.
2. No appointed officer shall participate in or make any decision on a city matter if:
  - (a) He or she was directly involved in the matter while employed with a private entity in the twelve months immediately preceding the start of the officer's current employment with the city; and
  - (b) Such prior involvement on behalf of a private entity may tend to impair the independence of judgment in the performance of the officer's official duties.

The prohibition in this subsection shall apply for a period of twelve months from the start of the officer's current employment with the city. The officer may apply for a waiver from this prohibition to the ethics commission, which shall determine, based on the relevant circumstances, whether the waiver is in the best interests of the public. For the purposes of this subsection, the term "officer" shall exclude any member of a board or commission who is not the administrative head of an agency.

## ATTACHMENT 2

### **Proposal C-5 Soon**

(NEW)

#### **ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

##### **Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

##### **Section 6-1802. Powers, Duties and Functions –**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

##### **Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

##### **Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.

## ATTACHMENT 3

PROPOSAL No. **77**  
(For Commission Use)

### 2015-2016 HONOLULU CHARTER COMMISSION CITY AND COUNTY OF HONOLULU CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the:
  - Proposed Charter amendment;
  - Purpose of the proposed Charter amendment;
  - Issue or problem to be addressed by the proposal; and
  - How the proposal would address the issue or problem.

Amend the Powers, Duties, and Functions of City departments as follows:

Department of Design and Construction (DDC)  
Department of Enterprise Services (DES)  
Department of Environmental Services (ENV)  
Department of Facility Maintenance (DFM)  
Department of Transportation Services (DTS)  
Department of Information Technology (DIT)  
Department of Parks and Recreation (DPR)

Under the current Charter only the Department of Design and Construction's (DDC's) Powers, Duties, and Functions include planning, engineering, design, and construction. As a result, Budget and Fiscal Services (BFS) requires receipt of written designation of Officer-in-Charge (OIC) authority from DDC before processing a contract for another department that involves planning, engineering, design, or construction, including contracts for repair work to existing facilities.

Including planning, engineering, design, construction, installation, repair, and/or reconstruction, as applicable, in the Powers, Duties, and Functions of the affected departments would acknowledge current capabilities and practices of those departments and improve City government efficiency by eliminating the repeated preparation and processing of designation of OIC authority from DDC to the affected departments for each project another department implements that includes one or more of those functions.

2. If applicable, list the Charter provision affected by the proposal.

Sections 6-503, 6-702, 6-803, 6-903, 6-1202, 6-1403 and 6-1703 Powers, Duties and Functions.

### ATTACHMENT 3

3. If the proposal is based on a provision or provisions in the charter or laws of another jurisdiction (e.g., another county, city, or municipality), name the jurisdiction and, if possible, attach a copy of each provision or law.

n/a

4. If the proposal is based on any written materials you have, please attach a copy of each with a citation to its source.

n/a

5. Attach the text of the proposed Charter amendment in Ramseyer format (see instructions below).

See attached.

Ramseyer format:

- **AMENDING AN EXISTING CHARTER PROVISION:** Indicate by underscoring, any language being proposed to be added to the Charter and indicate by [bracketing], any language being proposed to be deleted from the Charter.
  - **REPLACING AN EXISTING CHARTER PROVISION:** [Bracket] the article, chapter, or section of the Charter proposed to be deleted, and underscore the text of any provision proposed to replace the deleted material.
  - **ADDING A NEW CHARTER PROVISION:** Provide the text of the new provision and, if possible, indicate where in the Charter the new material should be added.
6. If this proposal is being submitted by an organization, please indicate the organization. If it is being submitted by an individual, please indicate the individual's first and last name.\*



## ATTACHMENT 3

City and County of Honolulu, Office of the Managing Director

7. Please include the address, phone number, and email of the organization or individual from Item 6 above, if you would like to be contacted.\*

Roy K. Amemiya, Jr.  
Managing Director  
City and County of Honolulu  
530 South King Street  
Honolulu, Hawaii 96813  
(808) 768-4275

\*Responses to Items 6 and 7 are optional; however, providing responses to these items will help the Commission's deliberations, especially when additional information or research is required. Please be aware that these document will be part of the public record and available to the public.

All proposals must be submitted by **October 31, 2015**.

You may submit your proposal by:

- Filling the form online and uploading documents, if any; or
- Submitting your completed form and any attachments by mail or email:

✓ Mail to:  
2015-2016 Charter Commission  
City and County of Honolulu  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

✓ Email to:  
cclcharter@honolulu.gov

*Thank you for participating in the 2015-2016 Honolulu Charter Commission process!*

## ATTACHMENT 3

### **(DDC) Section 6-503. Powers, Duties and Functions --**

The director of design and construction shall:

- (a) In consultation with the respective departments, [Direct and perform] support their [the] planning.
- (b) Perform the engineering, design, and construction [and improvement] of city facilities [public buildings].
- (c) Advise and assist the respective departments on matters related to [Direct and perform the] planning, repair, renovation, maintenance and construction [engineering, design and construction] of city facilities [public streets, roads, bridges and walkways, and drainage and flood improvements].
- (d) Manage and develop long-range planning of energy conservation projects at city facilities in cooperation with the respective departments [In consultation with the respective departments, direct and perform the planning, engineering, design and construction of wastewater facilities, parks and recreational facilities, and transportation systems]

### **(DES) Section 6-702. Powers, Duties and Functions --**

The director of enterprise services shall:

- (a) Operate and maintain the Neal S. Blaisdell Center and any other auditorium or cultural or entertainment facilities assigned to the department.
- (b) As determined to be within the department's capabilities, direct and perform the repair, renovation, maintenance and construction of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the Neal S. Blaisdell Center and other auditorium or cultural or entertainment facilities assigned to the department that exceed the department's capabilities.
- (d) [b] Perform such other duties as may be required by law.

### **(ENV) Section 6-803. Powers, Duties and Functions --**

The director of the department of environmental services shall:

- (a) [Advise the director of design and construction concerning the planning and design of wastewater facilities.
- (b) Oversee the operation and maintenance of sewer lines, treatment plants, [and] pumping stations.
- (c) Monitor the collection, treatment and disposal of wastewater.
- (d) Provide chemical treatment and pumping of defective cesspools.
- (e) Develop and administer solid waste collection, processing and disposal systems.
- (f) ](a) Operate, maintain, expand, and upgrade the wastewater systems of the City and County of Honolulu to include resource recovery programs and disposition of recovered materials.
- (b) Permit connections to the wastewater system and review plans for wastewater facilities, other than City projects, for conformance to City standards.
- (c) Operate, maintain, and upgrade the solid waste systems of the City and County of Honolulu to include collection of waste from single family residences, resource recovery programs and disposition of recovered materials.
- (d) Provide for disposition of materials and resources created from wastewater and solid waste resource recovery operations including, but not limited to recycled water, recycled sewage sludge, and electricity.
- (e) Prepare bills, collect and, by appropriate means including the discontinuance of service and civil action, enforce collection of charges for the furnishing of wastewater and solid waste services.



## ATTACHMENT 3

- (f) As determined to be within the department's capabilities, direct and perform the planning, engineering, design and construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities.
- (g) Coordinate all planning, engineering, design, construction, and repair of sewer lines, treatment plants, pumping stations, and other wastewater and solid waste facilities that exceed the department's capabilities with the director of design and construction.
- (h) To carry out the powers, duties and functions of the department, any member or authorized representative of the department may enter upon any public or private property at any reasonable time without warrant, doing no unnecessary injury thereto.
- (i) [f] Promulgate rules and regulations as necessary to administer and enforce requirements established by law.
- (j) [g] Perform such other duties as required by law.

### **(DFM) Section 6-903. Powers, Duties and Functions --**

The chief engineer shall:

- (a) Maintain public buildings and their adjoining parking facilities, except as otherwise provided by law.
- (b) Maintain public streets, roads, bridges, traffic medians, triangles, circles, other traffic calming appurtenances and walkways, and drainage and flood control systems.
- (c) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems.
- (d) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of public buildings and their adjoining parking facilities, except as otherwise provided by law, public streets, roads, bridges, traffic medians, triangles, circles, traffic calming appurtenances and walkways, and drainage and flood control systems that exceed the department's capabilities.
- (e) Direct and perform the acquisition, maintenance and disposal of all City owned vehicles and equipment except those that are operated by the Honolulu Board of Water Supply, Honolulu Police and Honolulu Fire Departments.
- (f) Monitor stormwater and other discharges into drainage systems and receiving waters.
- (g) Promulgate stormwater rules and regulations as necessary to administer and enforce requirements established by law.
- (h) [e] Install and maintain street lighting systems.
- (i) [f] Perform such other duties as may be required by law.

### **(DIT) Section 6-1202. Powers, Duties and Functions --**

The director of information technology shall:

- (a) Install, [O]operate [a data processing system], and maintain information technology and telecommunications systems for the city government, excluding those systems maintained by the board of water supply and any other semi-autonomous agencies created by ordinance.
- (b) Coordinate with the director of design and construction the planning, engineering, design, construction, and repair of electrical, mechanical, structural, and architectural improvements required for information technology and telecommunications systems.



## ATTACHMENT 3

- (c) [b] Provide technical expertise and support in information technology and telecommunication technology [in data processing] to the city government.
- (d) [c] Assist the managing director in management information technology and telecommunications analysis and evaluation.
- (e) [d] Advise the mayor on information technology and telecommunications technology [data processing] matters.
- (f) [e] Perform such other duties as may be required by law.

### **(DPR) Section 6-1403. Powers, Duties and Functions --**

The director of parks and recreation shall:

- (a) Operate and maintain [Advise the director of design and construction on the planning and design of] the parks and recreational facilities of the city [, and maintain and operate all such facilities].
- (b) As determined to be within the department's capabilities, direct and perform the minor repair, renovation, maintenance and construction of the parks and recreational facilities of the city.
- (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of the city's parks and recreational facilities that exceed the department's capabilities.
- (d) [b] Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.
- (e) [c] Beautify the public parks, facilities and streets of the city, including, but not limited to, the planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets.
- (f) [d] Process permit applications to use city parks and recreational facilities for free or affordable child day care programs for consideration by the council pursuant to Section 3-123 of this charter, provided that the director finds that such use does not interfere with the public's use of the property for park and recreational purposes.

### **(DTS) Section 6-1703. Powers, Duties and Functions --**

1. The director of transportation services shall:

- (a) Plan, operate and maintain transportation systems, including bikeways, except for activities relating to the city's fixed guideway mass transit system, to meet public transportation needs, in accordance with the general plan and development plan[s, and advise on the design and construction thereof].
  - (b) As determined to be within the department's capabilities, direct and perform the planning, engineering, design, and construction of transportation systems, except for activities relating to the city's fixed guideway mass transit system.
  - (c) Coordinate with the director of design and construction all planning, engineering, design, construction, and repair of transportation systems, except for activities relating to the city's fixed guideway mass transit system, that exceed the department's capabilities.
  - (d) [b] Locate, select, install and maintain traffic control facilities and devices.
  - (e) [c] Provide educational programs to promote traffic safety.
  - (f) [d] Establish a steel wheel on steel rail transit system, provided that nothing in this subsection shall preclude the director from utilizing technologies other than steel wheel on steel rail technology to complement or extend the rail transit system.
  - (g) [e] Promulgate rules and regulations pursuant to standards established by law.
2. The director of transportation services shall have no power, duty, or function with respect to transportation systems, facilities, or programs which are under the jurisdiction of the public transit authority.

## ATTACHMENT 4

### PROPOSAL 81

**Proposer: City and County of Honolulu, Office of the Managing Director**

Establish a dimensional zoning variance, with criteria based on practical difficulties, rather than relying on unnecessary hardship as the exclusive grounds for granting a variance to the Land Use Ordinance. Current applicable Charter provisions only provide for the “hardship” criteria, which is typically (i.e., in most U.S. municipalities) applicable only to use-type zoning variances. Traditionally, dimensional/bulk variances are reviewed on the basis of practical difficulties tests. Establishing a dimensional variance, including the appropriate criteria needed for the Director of the Department of Planning and Permitting (DPP) to determine whether practical difficulty exists for non-use variance requests, will provide a more appropriate mechanism for the consideration of the majority of zoning variance requests received by the DPP.

#### **Section 6-1517. Zoning Variances**

The director shall hear and determine petitions for varying the application of the zoning code with respect to a specific parcel of land and may grant such a variance upon: (a) the ground of unnecessary hardship for use variances if the record shows that (1) the applicant would be deprived of the reasonable use of such land or building if the provisions of the zoning code were strictly applicable; (2) the request of the applicant is due to unique circumstances and not the general conditions in the neighborhood, so that the reasonableness of the neighborhood zoning is not drawn into question; and (3) the request, if approved, will not alter the essential character of the neighborhood nor be contrary to the intent and purpose of the zoning ordinance[.]30; or (b) the ground of practical difficulties for non-use or dimensional variances if the record shows that (1) the applicant proposes to use the property in a reasonable manner permitted by the zoning code; (2) the applicant’s plight is due to circumstances unique to the property not created by the applicant; and (3) the variance will not alter the neighborhood’s essential character or be injurious to the public health, safety and general welfare of the community. Prior to the granting of any variance, the director shall hold a public hearing thereon. The director shall specify the particular evidence which supports the granting of a variance.

## ATTACHMENT 4

### **Proposal C-3. Guy K. Fujimura**

#### **Honolulu Zoo Fund**

#### **Section \_\_\_\_\_, Honolulu Zoo Fund –**

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.
2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.
3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.
4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.
5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.

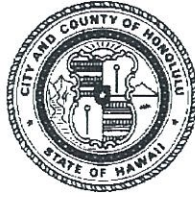


2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

Web Site:  
[honoluluchartercommission.org](http://honoluluchartercommission.org)



**MEMBERS**  
David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

## **MEETING NOTICE**

FRIDAY, JULY 1, 2016  
6:00 P.M.  
WINDWARD COMMUNITY COMMUNITY CAMPUS  
HALE KUHINA, ROOM 115

### **AGENDA**

### **WHERE TO FIND CHARTER PROPOSALS**

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### **TESTIFIER REGISTRATION**

Persons wishing to testify are requested to register as follows:

- a. By 12:00 p.m. noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each testifier shall not have anyone else read the testifier's statement. Each testifier is limited to three minutes per agenda item.

### **WRITTEN STATEMENT**

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN 24 PM 4:07



Written testimony may be emailed by 6:00 p.m. of the day prior to the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. TESTIMONY

Public testimony will be heard on certain proposals being considered by the Honolulu Charter Commission to amend the Honolulu Charter. See Attachment A1 for the list of proposals.

### III. ANNOUNCEMENTS

Next meeting date.

### IV. ADJOURNMENT

## ATTACHMENT A1

### Proposal 2. Glen I. Takahashi, City Clerk

The proposal relates to Special Elections and specifically requests that the timing of the ballot process be extended to allow enough time to meet the requirements of the Uniformed Military and Overseas Voter Act, passed by the Hawaii State Legislature in 2012, that requires that ballots must be mailed to military and overseas voters at least forty-five days prior to an election. Currently, the Charter requires the special election to be held within 60 days of a vacancy. The extension would be for an addition 20 days for a district special election (for a council vacancy) and an additional 60 days for a countywide special election (for the mayor or prosecutor). See sections 3-105, 5-106, and 8-106 of the Revised Charter of the City and County of Honolulu.

As amended on June 2, 2016, by the Style Committee:

#### **"Section 3-105. Vacancy in Office --**

A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a **[regular]** meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. **Pending the election, the remaining members of the council shall make a temporary appointment with requisite qualifications to fill the vacancy until a successor is duly elected. The vacancy shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy until a successor is duly elected."**

#### **"Section 5-106. Vacancy in Office --**

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

2. Pending the election of a mayor in case of a vacancy or in the temporary absence of the mayor from the state or temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the director of budget and fiscal services shall then act as mayor.”

**“Section 8-106. Vacancy in Office --**

A vacancy in the office of the prosecuting attorney caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the office of the prosecuting attorney shall be filled by the first deputy who shall act as prosecuting attorney, or if the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor with the approval of the council shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. Pending the election of the prosecuting attorney, the first deputy shall act as prosecuting attorney. If the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor, with the approval of the council, shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.”

### **Proposal 3. Brandon Elefante, Council-member**

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

#### **Amended by the Housing Permitted Interaction Group:**

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.

### **Proposal 39. Totto**

Authorize the Salary Commission to set salary ranges for attorneys who work for the Ethics Commission which would set their actual salaries.

**Amended by the Style Committee and approved by the Commission:**

#### **Section 11-107. Ethics Commission –**

[only the paragraph on staff appointments, etc., was amended. The rest of the section remains as currently drafted]

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultations may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director and staff attorneys, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be [fixed by ordinance] set by the ethics commission within an excluded managerial compensation plan applicable to city and county employees. The salary of staff attorneys shall be set by the ethics commission; provided that salaries of staff attorneys shall not be more than salaries of comparable attorneys in the department of corporation counsel.

## **Proposal 40. Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.

### **Proposed amendment:**

The Revised Charter of the City and County of Honolulu is amended by adding a new Article XVIII, which shall read as follows:

#### **Article XVIII Sunset of Boards and Commissions.**

Section 18-001. The council shall prepare an evaluation of at least one third of each board or commission of the county, every five years, which shall include the amount budgeted for and expended by the board and commission for the preceding five years, the annual average staff time allocated to the board and commission, the number of decisions made for each of the preceding five years, the impact if such board or commission were to sunset, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission. This evaluation shall be provided to the voters as part of the ballot issue, described in section 18-003

Section 19-002. Every board and commission of the county shall be subject to such review, except for boards created or required by state constitution or statute.

Section 18-003. A minimum of one third of all boards and commissions shall be placed on the general election ballot every five years, beginning in the 2018 election cycle. The council shall determine which boards or commissions shall be placed on the ballot. There shall be a ballot issue for each board or commission so named, included in the November election which shall ask the voters separately, whether each and every board or commission so named shall be retained. The ballot issue



shall include the annual and previous ten year cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall summarily sunset before January 1st of the subsequent year following said election.

Section 18-004. Any board or commission which is subject to sunset under section 18-003 shall not be re-enacted by the council unless two years have passed after such sunset.

#### **Proposal 44. Paul Oshiro**

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The electors of the city shall elect a prosecuting attorney whose term of office [of the prosecuting attorney] shall [commence] **be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards[, **their terms of office**] and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

**Proposal 48. Cheryl Soon**

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

**Article II, Section 2-102 Purposes**

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

**Amended and approved by the Commission:**

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and promote stewardship of natural resources for present and future generations. All powers shall be administered in a transparent and inclusive manner and shall encourage full participation in by the citizenry in the process of governance.

## **Proposal 54 Cheryl Soon**

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

### **Article VI**

- Chapter 8 Section 6-803
  - Chapter 9 Section 6-903
  - Chapter 14 Section 6-1403
  - Chapter 15 Section 6-1509
  - Chapter 17 Section 6-1703
- Article VII      Section 7-103

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

### **Chapter 8 Department of Environmental Services**

#### **Section 6-803**

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- a) Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- b) Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- c) Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

### **Chapter 9 Department of Facilities Maintenance**

#### **Section 6-903**

Add new duties.

- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

#### **Chapter 14 Department of Parks and Recreation**

Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

#### **Chapter 17 Department of Transportation Services**

Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

In Article VII Board of Water Supply add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

- 2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amendment approved by the Commission on April 7, 2016:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

#### **Article IX Financial Admin. 9-103:**

(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.



### **Proposal 73. Burkett**

The proposed amendment would create an office that, among other things, provides the policy framework, leadership and coordination across all relevant city agencies, other counties, and the State on climate and resilience related issue. In addition, the office would facilitate expert information, assist with direction setting regarding planning and climate impacts, and audit new and existing policy to assess our relative climate preparedness at a given time. The office would produce an annual report on the state of climate adaptation.

Climate change is an increasingly serious problem that disproportionately affects coastal areas.

### **Amended by Commission:**

Added exemption of Climate Executive from section 6-1103 of the Charter; added “resiliency” to the provision as noted below:

### **Section 6-107. Office of Climate Change, [and] Sustainability and Resiliency –**

There shall be an office of climate change, [and] sustainability and resiliency headed by an executive for climate change, [and] sustainability and resiliency who shall be appointed and may be removed by the mayor. The executive for climate change, [and] sustainability and resiliency shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
- (b) Coordinate actions and policies of departments within the city to:
  - (1) Increase community preparedness.
  - (2) Protect economic activity.
  - (3) Protect the coastal areas and beaches.
  - (4) Develop resilient infrastructure in response to the effects from climate changes.
- (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
- (d) Integrate sustainable and environmental values into city plans, programs and policies.
- (e) Promote resiliency of communities and coastal areas.
- (f) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
- (g) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.
- (h) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai'i, which Commission shall meet no less than twice annually for the purpose

of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate to the executive for climate change and sustainability, the mayor, council and executive departments of the city

**Section 6-1103. Civil Service and Executive Branch Exemptions --**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

(a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; the position of the executive for housing; the position of the manager and chief engineer of the board of water supply, the executive for climate change, sustainability, and resiliency, and the manager of any semi-autonomous agency created by ordinance.

(b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.

(c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.

.....

**Proposal 76A. City and County of Honolulu, Office of the Managing Director**

CHARTER COMMISSION  
PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS  
REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)

**REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES**

**Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

**Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.

**REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

**Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:

- (a) Three members shall be appointed by the mayor without necessity of council confirmation;
- (b) Three members shall be appointed by the council; and
- (c) One member shall be nominated and, upon council confirmation, appointed by the mayor.

The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:

- (a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and

- (b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years.

A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

**Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:

- (a) Adopt rules for the conduct of its business.
- (b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also

consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

## **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting

to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

#### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

## **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.



- (f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.
- (g) Prepare and maintain a six-year capital program.
- (h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.
- (i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.
- (j) Review development projects having significant impact on the development of the fixed guideway system.
- (k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (l) Attend all meetings of the board unless excused.
- (m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

#### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

#### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

#### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

#### **Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

#### **Section 17-114. Transit Fund --**

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

#### **Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

#### **NEW TRANSITION PROVISIONS**

##### **Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.

3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

#### **REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF TRANSPORTATION COMMISSION.**

**Proposal 79. City and County of Honolulu, Office of the Managing Director**

Require BWS & HART contracts to be approved as to form and legality by COR.

**(BWS) Section 7-116. Legal Counsel –**

The corporation counsel of the city shall be the legal adviser of the department and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the department. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the department. Before execution, all written contracts to which the department is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the department.

The department may employ an attorney to act as its legal adviser and to represent the department in any litigation to which the department is a party. (*Reso. 83-357*)

**(HART) Section 17-112. Legal Counsel --**

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority. Before execution, all written contracts to which the authority is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party. (*Reso. 09-252*)

## **Proposal 102. Ryan Akamine**

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from “underrepresented communities” to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

### **Approved by Commission and sent to Style Committee:**

Proposed Amendment: Youth Commission

#### STATEMENT REGARDING THE CREATION OF A YOUTH COMMISSION

Shall the City and County of Honolulu Charter be amended to establish a Youth Commission?

#### Plain Language Statement:

The proposed Charter amendment would create a Youth Commission to advise the City Council and Mayor on issues relating to children and youth, express the policy priorities of Honolulu’s youth, to create and develop future leaders, and to increase youth involvement in the shaping of public policy. The Commission would be composed of fifteen members from the ages of 14 to 24 appointed by the City Council and the Mayor. The fifteen members shall reflect the diversity of the people of the City and County of Honolulu, including ethnicity, race, gender, sexual orientation, and socioeconomic status. The Youth Commission may employ staff as necessary. The Youth Commission would respond to requests for comment from the City Council and Mayor.

YES FOR APPROVAL \_\_\_\_\_

NO FOR REJECTION \_\_\_\_\_

If approved, the Charter would include the following language:

§ 6-107.

YOUTH COMMISSION

1. There shall be an independent youth commission consisting of fifteen members, each of whom shall be between the ages of 14 and 24 years at the time of appointment and shall serve for staggered terms of two years. Each council member shall appoint one member and the mayor shall appoint six members. Five of the members appointed by the mayor shall be from underrepresented communities reflecting the diversity of the people of the City and County of Honolulu, such as ethnicity, race, gender, sexual orientation, and socioeconomic status. The initial appointments shall commence no later than August 1, 2017, and shall be as follows:

A. ONE YEAR: Eight members, three appointed by the mayor and one each appointed by the council members representing districts 1, 3, 5, 7, and 9

B. TWO YEARS: Seven members, three appointed by the mayor and one each appointed by the council members representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall elect a chair from among its members and the commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the City and County of Honolulu. The commission shall also express the policy priorities of the children and youth of the City and County of Honolulu. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, departments, agencies, boards, commissions and advisory committees of the City and County of Honolulu.

3. The commission and City Council may establish its rules of procedure and adopt rules and regulations pursuant to law.

4. The commission may employ staff as is necessary to assist it in the performance of its duties.

5. Members of the commission may receive a stipend as determined by the council.

## **Proposal 116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O'ahu and high demand by voters for more conservation of land.. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

### **Language agreed to:**

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.



## Proposal 153. Donna Ikeda

### Proposal 153:

### Amended by Commission and sent to Style

#### Section 11-102. Conflicts of Interest --

1. No elected or appointed officer or employee shall:
  - (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form[, under circumstances in which]:
    - (1) If it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties[.], or is intended as a reward for any official action; or
    - (2) From a lobbyist registered with the city.

Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

  - (b) Disclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.
  - (c) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.
  - (d) Receive any compensation for such person's services as an officer or employee of the city from any source other than the city, except as otherwise provided by this charter or by ordinance.
  - (e) Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law.
2. No appointed officer shall participate in or make any decision on a city matter if:
  - (a) He or she was directly involved in the matter while employed with a private entity in the twelve months immediately preceding the start of the officer's current employment with the city; and
  - (b) Such prior involvement on behalf of a private entity may tend to impair the independence of judgment in the performance of the officer's official duties.

The prohibition in this subsection shall apply for a period of twelve months from the start of the officer's current employment with the city. The officer may apply for a waiver from this prohibition to the ethics commission, which shall determine, based on the relevant circumstances, whether the waiver is in the best interests of the public. For the purposes of this subsection, the term "officer" shall exclude any member of a board or commission who is not the administrative head of an agency.

## Proposal C-1. Kevin Mulligan

### Section 6-1603. Chief of Police —

1. The chief of police shall be appointed by the police commission for a term of five years. The chief shall serve at the pleasure of the police commission and shall not attain any property interest in the position of chief of police. The police commission may remove or suspend the chief of police at any time prior to the expiration of the five year appointment. The chief shall have had a minimum of five years of training and experience in law enforcement work, at least three years of which shall have been in a responsible administrative capacity. The chief shall not serve beyond the expiration of a term unless appointed again by the police commission. If desiring to do so, the police commission may appoint an incumbent chief to a new term without first engaging in an applicant solicitation and selection process.

2. Before the expiration of a term to which appointed, the chief may be removed or suspended by the police commission ~~[only for cause]~~ for any reason. Such reasons may include but are not limited to:

- a) The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
- b) The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
- c) The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
- d) The chief has acted in a manner for of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief's governing body.

As prerequisites to removal or suspension, the chief shall be given a written statement of the ~~[charge]~~ reasons for removal or suspension and an opportunity for a hearing before the police commission.

3. ~~[Gross or continuous maladministration shall be a cause sufficient for removal of the chief. Before removing the chief for such cause, the commission shall give the chief written notice of and a reasonable period to cure the gross or continuous maladministration. If the gross or continuous maladministration is not cured to the commission's satisfaction within the period given, the commission may proceed to remove the chief in accordance with subsection 2.~~

~~This subsection shall not be construed as:~~

- ~~(a) Making gross or continuous maladministration the only cause sufficient for removal of a chief; or~~
- ~~(b) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.~~

~~(c) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.]~~

## Proposal C-2. Kevin Mulligan

### **Section 6-1606. Powers, Duties and Functions (of Police Commission)**

- Amending Section (d) by giving the Police Commission the power to subpoena and require the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law.<sup>1</sup> The Police Commission can make recommendations concerning allegations of officer misconduct to the Chief of Police and the Chief must respond to the Police Commission with his or her decision on the recommendation in writing. *Currently, the Chief is not required to respond to the Police Commission concerning their recommendations.*
- The Police Commission investigations should provide an objective analysis of complaints filed by citizens to ensure compliance with policy and procedure, best practices and the law.<sup>2</sup>

### **Section 6-1606. Powers, Duties and Functions --**

The police commission shall:

- (a) Adopt such rules as it may consider necessary for the conduct of its business and review rules and regulations for the administration of the department.
- (b) Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.
- (c) Submit an annual report to the mayor and the city council.
- (d) Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members.
- (e) The police commission may issue subpoenas and require the attendance of witnesses and the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law. [and]
- (f) Submit a written report of its findings to the chief of police. If the chief of police disagrees with the findings of the police commission, the chief shall submit the reasons in writing to the police commission. A summary of the charges filed and their disposition shall be included in the annual report of the commission.
- (g) Review and, if deemed necessary, make recommendations on the five-year plan and any update of goals and objectives for the police department which is submitted by the chief of police. The commission shall not have the power to approve, modify, or reject the plan or any update.
- (h) Compare at least annually the actual achievements of the police department against the goals and objectives in the five-year plan or latest update submitted by the chief.
- (i) Evaluate at least annually the performance of duties by the chief of police.

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<sup>1</sup> City of Long Beach California City Charter – Citizen Police Complaint Commission

<sup>2</sup> Fresno Office of Independent Review

Charter Commission Outreach Meeting July 1, 2016

Except for purposes of inquiry or as otherwise provided in this charter, neither the commission nor its members shall interfere in any way with the administrative affairs of the department.

**Proposal C-3. Guy K. Fujimura**

**Honolulu Zoo Fund**

**Section \_\_\_\_\_. Honolulu Zoo Fund –**

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.

2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.

3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.

5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.

**Proposal C-5. Cheryl D. Soon**

(NEW)

**ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

**Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

**Section 6-1802. Powers, Duties and Functions –**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

**Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

**Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.



2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

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**VOTING MEMBERS**  
Donna Ikeda, Chair  
Paul T. Oshiro, Vice Chair  
Guy K. Fujimura  
Nathan T. Okubo  
R. Brian Tsujimura

**NONVOTING MEMBERS**  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Kevin Mulligan  
David W. Rae  
Cheryl D. Soon  
Edlyn S. Taniguchi  
Governor John D. Waihee III  
Pamela Witty-Oakland

## **STYLE COMMITTEE MEETING NOTICE**

THURSDAY, JUNE 30, 2016  
2:00 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

### **AGENDA**

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN 24 PM 4:06

### **WHERE TO FIND CHARTER PROPOSALS**

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### **TESTIFIER REGISTRATION**

Persons wishing to testify are requested to register as follows:

- By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each testifier shall not have anyone else read the testifier's statement. Each testifier is limited to three minutes per agenda item.

### **WRITTEN STATEMENT**

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. DISCUSSION AND ACTION

Deliberation and decision-making on Proposals No. 3, 23, 36, 40, 42, 44, 54, 76A, 80, 102, 116, 120, 153, and C-5. See Attachment.

The Commission anticipates convening an Executive Session closed to the public pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult with its attorneys on questions and issues relating to their legal analysis and recommendations for Proposal 44 relating to Term Limits.

### III. ANNOUNCEMENTS

Next meeting date.

### IV. ADJOURNMENT

## ATTACHMENT

### Style Committee Meeting

#### **Proposal 3. Brandon Elefante, Council-member**

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

As amended by the Housing Permitted Interaction Group:

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.

## ATTACHMENT

### Style Committee Meeting

#### **Proposal 23. Civil Beat Law Center for the Public Interest**

The Proposed Amendment conforms the Charter's language regarding public records to State law and removes redundant language.

- a. Access to public records cannot be limited to citizens. The Uniform Information Practices Act (Modified), HRS ch. 92F (UIPA), provides: "Except as provided in section 92F-13, each agency upon request by *any person* shall make government records available for inspection and copying during regular business hours. . . ." HRS § 92F-11(b) (emphasis added).
- b. The Chief of Police and the Prosecuting Attorney do not have absolute discretion to withhold records maintained by the police department or office of the prosecuting attorney, respectively. As reflected in the UIPA citation above, the only exceptions to State law are provided by section 92F-13. E.g., OIP Op. No. 98-01 at 5 n.4 (public records under the UIPA cannot be made confidential by charter or ordinance); OIP Op. No. 95-14 at 6-7.
- c. The disclosure provision for traffic accident records is redundant of and cannot contradict HRS § 291C-20.

#### **"Section 13-105. Records Open to the Public—**

[All]Except as otherwise provided by law, all books and records of the city shall be open to the inspection of any person [citizen] at any time during business hours. Certified copies or extracts from such books and records shall be given by the officer having custody of the same to any person demanding the same and paying or tendering a reasonable fee to be fixed by the council for such copies or extracts. [, but the records of the police department or of the prosecuting attorney shall not be subject to such inspection unless permission is given by the chief of police or the prosecuting attorney, except in the case of traffic accidents where such records, including all statements taken, shall be available for inspection by the parties directly concerned in such accident, or their duly licensed attorneys acting under written authority signed by either party. Any person who may sue because of death resulting from any such accident shall be deemed a party directly concerned.]"

## ATTACHMENT

### Style Committee Meeting

#### Proposal 36. Paul Oshiro

Modify the deadline by which the Charter Commission must forward to the City Clerk proposals to amend the Charter.

#### Amended by Commission:

##### Section 15-105. Mandatory Review --

1. After November 1 of every year ending in "4," but before the immediate following February 1, the mayor and the presiding officer of the council shall appoint a charter commission consisting of thirteen members to study and review the operation of the government of the city under this charter. The mayor shall appoint six members; the presiding officer of the council, with the approval of the council, shall appoint six members; and the thirteenth member shall be appointed by the mayor and confirmed by the council.

For the 2005 charter commission, Section 16-127 shall prevail over any conflicting provision of this subsection.

2. The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment, except as otherwise provided under Section 16-127 for the 2005 charter commission. The commission shall act by majority vote of its membership and shall establish its own procedures. The commission shall be recognized as a constituent body, and its members shall not, in any manner, be deemed officers of the city. The commission and its members shall be subject only to provisions of this article, Section 3-114, and Section 3-502 of the charter.

3. The commission may propose amendments to the existing charter or a draft of a revised charter, which shall be submitted to the city clerk at any time prior to **[September 1] five working days before the deadline for submitting ballot questions for placement on the general election ballot as established in State law** of the year ending in "6" that immediately follows the appointment of the commission. Upon receipt of the amendments or revised charter, together with ballot language prepared by the commission, the clerk shall provide for the submission of such amendments or revised charter to the electors of the city at the next general election.

4. The commission shall publish, not less than forty-five days before any election at which charter amendments or a revised charter are submitted, at least once in a daily newspaper of general circulation within the city, a brief digest of the amendments or revised charter and a notice to the electorate that copies of the amendments or revised charter are available at the office of the city clerk..

## ATTACHMENT

### Style Committee Meeting

#### **Proposal 40. Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.

#### **Proposed amendment:**

The Revised Charter of the City and County of Honolulu is amended by adding a new Article XVIII, which shall read as follows:

#### **Article XVIII Sunset of Boards and Commissions.**

Section 18-001. The council shall prepare an evaluation of at least one third of each board or commission of the county, every five years, which shall include the amount budgeted for and expended by the board and commission for the preceding five years, the annual average staff time allocated to the board and commission, the number of decisions made for each of the preceding five years, the impact if such board or commission were to sunset, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission. This evaluation shall be provided to the voters as part of the ballot issue, described in section 18-003

Section 19-002. Every board and commission of the county shall be subject to such review, except for boards created or required by state constitution or statute.

Section 18-003. A minimum of one third of all boards and commissions shall be placed on the general election ballot every five years, beginning in the 2018 election cycle. The council shall determine which boards or commissions shall be placed on the ballot. There shall be a ballot issue for each board or commission so named, included in the November election which shall ask the voters separately, whether each and every board or commission so named shall be retained. The ballot issue shall include the annual and previous ten year cost of each board and commission. If a board and

## ATTACHMENT

### Style Committee Meeting

commission does not receive more than fifty percent of the votes cast said board or commission shall summarily sunset before January 1st of the subsequent year following said election.

Section 18-004. Any board or commission which is subject to sunset under section 18-003 shall not be re-enacted by the council unless two years have passed after such sunset.



## ATTACHMENT

### Style Committee Meeting

#### Proposal 42. Paul Oshiro

As approved by the Commission at the June 17, 2016 meeting:

**"Section 13-119. Dual Offices or Positions --**

No person shall hold more than one public office or position under the city[, except]; provided that city officers and employees shall not be precluded from membership on a neighborhood board; provided further that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission. No city officer or employee shall be a member of the state civil service commission, nor shall any city officer or employee hold a public office or position under the federal or state government which would be inconsistent or incompatible with or would tend to interfere with the duties of the city office or position. The term "public office," as used in this section of the charter, shall not include notaries public, reserve police officers or officers of emergency organizations for civilian defense or disaster relief."

**"Section 14-102. Neighborhood Commission --**

There shall be a neighborhood commission which shall consist of nine members chosen from the city at large. The mayor shall appoint four members, **[at least two of whom shall have served on a neighborhood board for at least one full term. The] and the** presiding officer of the council, with the approval of the council, shall appoint four members[, **at least two of whom shall have served on a neighborhood board for at least one full term.**]. The ninth member shall be appointed by the mayor and confirmed by the council. **[The ninth member shall have served on a neighborhood board for at least one full term.]**

The commission shall elect a chair from among its members. Any vacancy in the commission shall be filled in the same manner as for an original appointment.

The commission shall act by majority vote of its membership and shall establish its own procedures. Commission members shall be compensated and reimbursed for their necessary expenses as provided by ordinance. The council shall appropriate funds to the neighborhood commission necessary for the performance of its official duties.

The terms of members initially appointed shall be for five years, and their successors shall serve for staggered terms of five years in the manner provided in Section 13-103(c) of this charter."

**"Section 16- . Transitional provisions for the requirement that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission—**

**The requirement that no member of the Neighborhood Board shall concurrently serve on the Neighborhood Commission shall only apply to appointments made to the Neighborhood Commission on or after the second day of January 2017. All Neighborhood Commission members appointed prior to the second day of January 2017 shall be allowed to complete their present term on the Neighborhood Commission."**

## ATTACHMENT

### Style Committee Meeting

#### **Proposal 44. Paul Oshiro**

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The **electors of the city shall elect a prosecuting attorney whose** term of office **[of the prosecuting attorney]** shall **[commence] be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards**[, their terms of office]** and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

# ATTACHMENT

## Style Committee Meeting

### Proposal 54. Cheryl Soon

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

#### Article VI

- Chapter 8 Section 6-803
- Chapter 9 Section 6-903
- Chapter 14 Section 6-1403
- Chapter 15 Section 6-1509
- Chapter 17 Section 6-1703

#### Article VII Section 7-103

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

#### **Chapter 8 Department of Environmental Services**

##### Section 6-803

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 9 Department of Facilities Maintenance**

##### Section 6-903

Add new duties.

## ATTACHMENT

### Style Committee Meeting

- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

#### **Chapter 14 Department of Parks and Recreation**

Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

#### **Chapter 17 Department of Transportation Services**

Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

**In Article VII Board of Water Supply** add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

- 2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amended by the Commission:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

#### **Article IX Financial Admin. 9-103:**

## ATTACHMENT

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(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.

# ATTACHMENT

## Style Committee Meeting

### Proposal 76A. City and County of Honolulu, Office of the Managing Director

#### CHARTER COMMISSION PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)

#### REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES

##### **Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

##### **Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.

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#### **REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

##### **Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:

- (a) Three members shall be appointed by the mayor without necessity of council confirmation;
- (b) Three members shall be appointed by the council; and
- (c) One member shall be nominated and, upon council confirmation, appointed by the mayor.

The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:

- (a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and

- (b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years.

A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

##### **Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:

- (a) Adopt rules for the conduct of its business.
- (b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also



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consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

#### **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

##### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

##### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting

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to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

#### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

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(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

#### **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

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- (f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.
- (g) Prepare and maintain a six-year capital program.
- (h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.
- (i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.
- (j) Review development projects having significant impact on the development of the fixed guideway system.
- (k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (l) Attend all meetings of the board unless excused.
- (m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

#### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

#### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

#### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

#### **Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

#### **Section 17-114. Transit Fund --**

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There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

#### **Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

#### **NEW TRANSITION PROVISIONS**

##### **Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.

3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

#### **REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF TRANSPORTATION COMMISSION.**

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#### **Proposal 80. City and County of Honolulu, Office of the Managing Director**

Expand to allow delegation of Mayor's authority to sign documents requiring execution by the City unless otherwise provided by charter, ordinance or resolution.

#### **Amended by Commission:**

#### **Section 5-103. Powers, Duties and Functions –**

The mayor shall be the chief executive officer of the city. The mayor shall have the power to:

(h) Sign, or designate the managing director, the deputy managing director, and any person appointed as the administrative head of an office or department of the executive branch to sign, instruments requiring execution by the city, except those which the director of budget and fiscal services or other officer is authorized to sign by this charter, ordinance or resolution.

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#### **Proposal 102. Ryan Akamine**

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from "underrepresented communities" to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

#### **Amendment Sent to Style:**

Proposed Amendment: Youth Commission

#### STATEMENT REGARDING THE CREATION OF A YOUTH COMMISSION

Shall the City and County of Honolulu Charter be amended to establish a Youth Commission?

#### Plain Language Statement:

The proposed Charter amendment would create a Youth Commission to advise the City Council and Mayor on issues relating to children and youth, express the policy priorities of Honolulu's youth, to create and develop future leaders, and to increase youth involvement in the shaping of public policy. The Commission would be composed of fifteen members from the ages of 14 to 24 appointed by the City Council and the Mayor. The fifteen members shall reflect the diversity of the people of the City and County of Honolulu, including ethnicity, race, gender, sexual orientation, and socioeconomic status. The Youth Commission may employ staff as necessary. The Youth Commission would respond to requests for comment from the City Council and Mayor.

YES FOR APPROVAL \_\_\_\_\_

NO FOR REJECTION \_\_\_\_\_

If approved, the Charter would include the following language:

§ 6-107.

#### YOUTH COMMISSION



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1. There shall be an independent youth commission consisting of fifteen members, each of whom shall be between the ages of 14 and 24 years at the time of appointment and shall serve for staggered terms of two years. Each council member shall appoint one member and the mayor shall appoint six members. Five of the members appointed by the mayor shall be from underrepresented communities reflecting the diversity of the people of the City and County of Honolulu, such as ethnicity, race, gender, sexual orientation, and socioeconomic status. The initial appointments shall commence no later than August 1, 2017, and shall be as follows:

A. ONE YEAR: Eight members, three appointed by the mayor and one each appointed by the council members representing districts 1, 3, 5, 7, and 9

B. TWO YEARS: Seven members, three appointed by the mayor and one each appointed by the council members representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall elect a chair from among its members and the commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the City and County of Honolulu. The commission shall also express the policy priorities of the children and youth of the City and County of Honolulu. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, departments, agencies, boards, commissions and advisory committees of the City and County of Honolulu.

3. The commission and City Council may establish its rules of procedure and adopt rules and regulations pursuant to law.

4. The commission may employ staff as is necessary to assist it in the performance of its duties.

5. Members of the commission may receive a stipend as determined by the council.

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#### **Proposal 116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O'ahu and high demand by voters for more conservation of land. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

#### **Proposed language:**

##### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in

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order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.

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#### Proposal 120 APA

#### FUNCTIONAL PLANNING CHARTER AMENDMENT PROPOSAL

The purpose of this proposal is to require the preparation of functional plans for wastewater facilities, transportation systems, and parks and recreational facilities. The functional plans would be required to cover a period of at least twenty years and be consistent with the pattern of growth specified by the General Plan and Development Plans. The Charter presently does not require the preparation of functional plans.

This Charter amendment is necessary because Oahu's pattern of growth and development is highly dependent on the availability of infrastructure. Functional plans can be an effective tool to accommodate growth in certain areas of the city, while constraining growth in others. While the General Plan and Development Plans specify a desired pattern of growth, infrastructure systems and public services must be planned in advance to accommodate planned development.

The director of design and construction shall:

- (a) Direct and perform the planning, engineering, design, construction and improvement of public buildings.
- (b) Direct and perform the planning, engineering, design and construction of public streets, roads, bridges and walkways, and drainage and flood improvements.
- (c) In consultation with the respective departments, [direct and perform] implement the project planning, engineering, design and construction of wastewater facilities, parks and recreational facilities, and transportation systems specified in the respective functional plans.

#### Section 6-803. Powers, Duties and Functions

The director of the department of environmental services shall:

- (a) Prepare a long-range functional plan for wastewater facilities of the city, covering a period of at least twenty years, and consistent with the pattern of growth specified in the General Plan and Development Plans.
- [(a)] (b) Advise the director of design and construction concerning the project planning and design of wastewater facilities.
- [(b)] (c) Oversee the operation and maintenance of sewer lines, treatment plants and pumping stations.
- [(c)] (d) Monitor the collection, treatment and disposal of wastewater.
- [(d)] (e) Provide chemical treatment and pumping of defective cesspools.
- [(e)] (f) Develop and administer solid waste collection, processing and disposal systems.
- [(f)] (g) Promulgate rules and regulations as necessary to administer and enforce requirements established by law.
- [(g)] (h) Perform such other duties as may be required by law.

## ATTACHMENT

### Style Committee Meeting

#### **Section 6-1403. Powers, Duties and Functions**

The director of parks and recreation shall:

(a) Prepare a long-range functional plan for parks and recreational facilities of the city, covering a period of at least twenty years, and consistent with the pattern of growth specified in the General Plan and Development Plans.

[(a)] (b) Advise the director of design and construction on the project planning and design of the parks and recreational facilities of the city, and maintain and operate all such facilities.

[(b)] (c) Develop and implement programs for cultural, recreational and other leisure-time activities for the people of the city, except as otherwise provided by law.

[(c)] (d) Beautify the public parks, facilities and streets of the city, including, but not limited to, the planting, trimming and maintaining of all shade trees, hedges and shrubs on such city parks, facilities and streets.

[(d)] (e) Process permit applications to use city parks and recreational facilities for free or affordable child day care programs for consideration by the council pursuant to Section 3-123 of this charter, provided that the director finds that such use does not interfere with the public's use of the property for park and recreational purposes.

#### **Section 6-1503. Powers, Duties and Functions**

The director of planning and permitting shall:

(a) Prepare a general plan and development plans, and revisions thereof, for the improvement and development of the city.

(b) Establish procedures for adopting and revising the general plan and development plans and amending state land use district boundaries. The director's procedures shall include provisions for the processing of any proposed revision to the general plan or development plans which is submitted with the prescribed level of supporting documentation, regardless of whether the proposal is supported by the director or the council. However, a proposal lacking such support shall be processed as an "unendorsed proposal" under the provisions of this chapter.

(c) Review the executive operating and capital program and budget for conformance to the purposes of the general and development plans and make a written report of findings to the council within thirty days after receipt of such program and budget.

(d) Prepare and submit to the council on at least a biennial basis a report on the condition of the city in terms of the general plan and development plans. In addition, the director shall prepare and submit to the council an annual report on the current status of land use and other data pertaining to the development plans.

(e) Undertake studies and prepare plans for special planning areas and issues.

(f) Perform other functions that will promote comprehensive planning, public participation and an efficient planning process.

(g) Prepare zoning ordinances, maps and rules and regulations and any amendments thereto.

(h) Prepare the land subdivision code and rules and regulations and any amendments thereto.

## ATTACHMENT

### Style Committee Meeting

- (i) Establish procedures for the review of land utilization applications.
- (j) Be charged with the administration and enforcement of the zoning, subdivision, park dedication, building and housing ordinances, and rules and regulations adopted thereunder, and any regulatory laws or ordinances which may be adopted to supplement or replace such ordinances.
- (k) Review the following for conformance to city standards:
  - (1) Plans for wastewater facilities for other than city projects;
  - (2) Plans for construction, reconstruction, widening and maintenance of public streets and roads, including utilities, landscaping, street lighting, traffic control and related items;
  - (3) Plans for the construction, reconstruction and maintenance of bridges and walkways and drainage and flood control systems.
- (l) Review the following for conformance to the general plan and development plans:
  - (1) Wastewater functional plan;
  - (2) Parks and recreational facilities functional plan;
  - (3) Transportation systems functional plan.

#### **Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) [Plan] Prepare a long-range functional plan for the city's transportation systems covering a period of at least twenty years, operate and maintain transportation, including transit, systems to meet public transportation needs, in accordance with the general plan and development plans, and advise on the design and construction thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.

## ATTACHMENT

### Style Committee Meeting

#### Proposal 153. Donna Ikeda

Amended by Commission on 4/29/16 and sent to Style

#### Section 11-102. Conflicts of Interest --

1. No elected or appointed officer or employee shall:
  - (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form[, under circumstances in which]:
    - (1) If it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties[.], or is intended as a reward for any official action; or
    - (2) From a lobbyist registered with the city.

Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

  - (b) Disclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.
  - (c) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.
  - (d) Receive any compensation for such person's services as an officer or employee of the city from any source other than the city, except as otherwise provided by this charter or by ordinance.
  - (e) Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law.
2. No appointed officer shall participate in or make any decision on a city matter if:
  - (a) He or she was directly involved in the matter while employed with a private entity in the twelve months immediately preceding the start of the officer's current employment with the city; and
  - (b) Such prior involvement on behalf of a private entity may tend to impair the independence of judgment in the performance of the officer's official duties.

The prohibition in this subsection shall apply for a period of twelve months from the start of the officer's current employment with the city. The officer may apply for a waiver from this prohibition to the ethics commission, which shall determine, based on the relevant circumstances, whether the waiver is in the best interests of the public. For the purposes of this subsection, the term "officer" shall exclude any member of a board or commission who is not the administrative head of an agency.



## ATTACHMENT

### Style Committee Meeting

#### **Proposal C-5 Soon**

(NEW)

#### **ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

##### **Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

##### **Section 6-1802. Powers, Duties and Functions –**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

##### **Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

##### **Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

RECEIVED  
CITY CLERK  
C & C OF HONOLULU

2016 JUN 24 PM 1:06

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 24, 2016  
Honolulu, Hawaii

Page 1 of 1

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on AUGUST 5, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: STUART PETERSON, 808-768-7953.

	<b>TAXPAYER</b>	<b>TAX MAP KEY</b>	<b>APPEAL NO.</b>	<b>YEAR</b>
1	SERVCO PACIFIC INC	110070190000	111908	2016
2	SERVCO PACIFIC INC	110070200000	111923	2016
3	SERVCO PACIFIC INC	110070210000	111933	2016
4	GSMS 2005-GG4 UALENA STREET LLC	110140060000	111846	2016
5	LOYALTY DEVELOPMENT CO LTI	110150040000	111137	2016
6	HAWAIIAN HOME LANDS	110640080000	110416	2016
7	HAWAIIAN HOME LANDS	110640090000	110417	2016
8	2424 KALAKAUA ASSOCIATES	260230050000	110287	2016
9	2424 KALAKAUA ASSOCIATES	260230090000	110288	2016
10	WAIKIKI RESORT HOTEL INC	260230160000	111886	2016

An election for Chair and Vice-Chair will be held at the conclusion of the agenda.

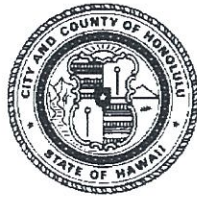
/s/ DONALD LAU  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

Web Site:  
[honoluluchartercommission.org](http://honoluluchartercommission.org)



#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

WEDNESDAY, JUNE 29, 2016  
6:00 P.M.  
MILILANI HIGH SCHOOL  
CAFETORIUM

#### AGENDA

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN 23 PM 4:20

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- a. By 12:00 p.m. noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to three minutes per agenda item.

### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 6:00 p.m. of the day prior to the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. TESTIMONY

Public testimony will be heard on certain proposals being considered by the Honolulu Charter Commission to amend the Honolulu Charter. See Attachment A1 for the list of proposals.

### III. ANNOUNCEMENTS

Next meeting date.

### IV. ADJOURNMENT



## ATTACHMENT A1

### Proposal 2. Glen I. Takahashi, City Clerk

The proposal relates to Special Elections and specifically requests that the timing of the ballot process be extended to allow enough time to meet the requirements of the Uniformed Military and Overseas Voter Act, passed by the Hawaii State Legislature in 2012, that requires that ballots must be mailed to military and overseas voters at least forty-five days prior to an election. Currently, the Charter requires the special election to be held within 60 days of a vacancy. The extension would be for an addition 20 days for a district special election (for a council vacancy) and an additional 60 days for a countywide special election (for the mayor or prosecutor). See sections 3-105, 5-106, and 8-106 of the Revised Charter of the City and County of Honolulu.

As amended on June 2, 2016, by the Style Committee:

#### **"Section 3-105. Vacancy in Office --**

A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a **[regular]** meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. **Pending the election, the remaining members of the council shall make a temporary appointment with requisite qualifications to fill the vacancy until a successor is duly elected. The vacancy shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy until a successor is duly elected."**

#### **"Section 5-106. Vacancy in Office --**

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

2. Pending the election of a mayor in case of a vacancy or in the temporary absence of the mayor from the state or temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the director of budget and fiscal services shall then act as mayor.”

**“Section 8-106. Vacancy in Office --**

A vacancy in the office of the prosecuting attorney caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the office of the prosecuting attorney shall be filled by the first deputy who shall act as prosecuting attorney, or if the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor with the approval of the council shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. Pending the election of the prosecuting attorney, the first deputy shall act as prosecuting attorney. If the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor, with the approval of the council, shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.”

### **Proposal 3. Brandon Elefante, Council-member**

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

#### **Amended by the Housing Permitted Interaction Group:**

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.



### **Proposal 39. Totto**

Authorize the Salary Commission to set salary ranges for attorneys who work for the Ethics Commission which would set their actual salaries.

**Amended by the Style Committee and approved by the Commission:**

#### **Section 11-107. Ethics Commission –**

[only the paragraph on staff appointments, etc., was amended. The rest of the section remains as currently drafted]

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultations may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director and staff attorneys, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be [fixed by ordinance] set by the ethics commission within an excluded managerial compensation plan applicable to city and county employees. The salary of staff attorneys shall be set by the ethics commission; provided that salaries of staff attorneys shall not be more than salaries of comparable attorneys in the department of corporation counsel.

#### **Proposal 40. Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.

#### **Proposed amendment:**

The Revised Charter of the City and County of Honolulu is amended by adding a new Article XVIII, which shall read as follows:

#### **Article XVIII Sunset of Boards and Commissions.**

Section 18-001. The council shall prepare an evaluation of at least one third of each board or commission of the county, every five years, which shall include the amount budgeted for and expended by the board and commission for the preceding five years, the annual average staff time allocated to the board and commission, the number of decisions made for each of the preceding five years, the impact if such board or commission were to sunset, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission. This evaluation shall be provided to the voters as part of the ballot issue, described in section 18-003

Section 19-002. Every board and commission of the county shall be subject to such review, except for boards created or required by state constitution or statute.

Section 18-003. A minimum of one third of all boards and commissions shall be placed on the general election ballot every five years, beginning in the 2018 election cycle. The council shall determine which boards or commissions shall be placed on the ballot. There shall be a ballot issue for each board or commission so named, included in the November election which shall ask the voters separately, whether each and every board or commission so named shall be retained. The ballot issue

shall include the annual and previous ten year cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall summarily sunset before January 1st of the subsequent year following said election.

Section 18-004. Any board or commission which is subject to sunset under section 18-003 shall not be re-enacted by the council unless two years have passed after such sunset.

#### **Proposal 44. Paul Oshiro**

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The electors of the city shall elect a prosecuting attorney whose term of office [of the prosecuting attorney] shall [commence] **be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards[, **their terms of office**] and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

**Proposal 48. Cheryl Soon**

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

**Article II, Section 2-102 Purposes**

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

**Amended and approved by the Commission:**

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and promote stewardship of natural resources for present and future generations. All powers shall be administered in a transparent and inclusive manner and shall encourage full participation in by the citizenry in the process of governance.

## **Proposal 54 Cheryl Soon**

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

### **Article VI**

- Chapter 8 Section 6-803
- Chapter 9 Section 6-903
- Chapter 14 Section 6-1403
- Chapter 15 Section 6-1509
- Chapter 17 Section 6-1703

### **Article VII      Section 7-103**

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

#### **Chapter 8 Department of Environmental Services**

##### **Section 6-803**

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 9 Department of Facilities Maintenance**

##### **Section 6-903**

Add new duties.

- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

#### **Chapter 14 Department of Parks and Recreation**

Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

#### **Chapter 17 Department of Transportation Services**

Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

In Article VII Board of Water Supply add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amendment approved by the Commission on April 7, 2016:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

#### **Article IX Financial Admin. 9-103:**



(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.

### **Proposal 73. Burkett**

The proposed amendment would create an office that, among other things, provides the policy framework, leadership and coordination across all relevant city agencies, other counties, and the State on climate and resilience related issue. In addition, the office would facilitate expert information, assist with direction setting regarding planning and climate impacts, and audit new and existing policy to assess our relative climate preparedness at a given time. The office would produce an annual report on the state of climate adaptation.

Climate change is an increasingly serious problem that disproportionately affects coastal areas.

### **Amended by Commission:**

Added exemption of Climate Executive from section 6-1103 of the Charter; added “resiliency” to the provision as noted below:

### **Section 6-107. Office of Climate Change, [and] Sustainability and Resiliency –**

There shall be an office of climate change, [and] sustainability and resiliency headed by an executive for climate change, [and] sustainability and resiliency who shall be appointed and may be removed by the mayor. The executive for climate change, [and] sustainability and resiliency shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
- (b) Coordinate actions and policies of departments within the city to:
  - (1) Increase community preparedness.
  - (2) Protect economic activity.
  - (3) Protect the coastal areas and beaches.
  - (4) Develop resilient infrastructure in response to the effects from climate changes.
- (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
- (d) Integrate sustainable and environmental values into city plans, programs and policies.
- (e) Promote resiliency of communities and coastal areas.
- (f) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
- (g) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.
- (h) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai'i, which Commission shall meet no less than twice annually for the purpose

of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate to the executive for climate change and sustainability, the mayor, council and executive departments of the city

**Section 6-1103. Civil Service and Executive Branch Exemptions --**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

(a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; the position of the executive for housing; the position of the manager and chief engineer of the board of water supply, the executive for climate change, sustainability, and resiliency, and the manager of any semi-autonomous agency created by ordinance.

(b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.

(c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.

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**Proposal 76A. City and County of Honolulu, Office of the Managing Director**

CHARTER COMMISSION  
PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS  
REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)

**REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES**

**Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

**Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.

**REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

**Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:

- (a) Three members shall be appointed by the mayor without necessity of council confirmation;
- (b) Three members shall be appointed by the council; and
- (c) One member shall be nominated and, upon council confirmation, appointed by the mayor.

The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:

- (a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and

- (b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years.

A member, however, may serve beyond the expiration date until a successor is appointed and qualified. The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

**Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:

- (a) Adopt rules for the conduct of its business.
- (b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also

consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

## **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting

to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

#### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

## **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.



(f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) Prepare and maintain a six-year capital program.

(h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.

(i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.

(j) Review development projects having significant impact on the development of the fixed guideway system.

(k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.

(l) Attend all meetings of the board unless excused.

(m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

#### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

#### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

#### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

#### **Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

#### **Section 17-114. Transit Fund --**

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

**Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

**NEW TRANSITION PROVISIONS**

**Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.

3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

**REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF TRANSPORTATION COMMISSION.**

**Proposal 79. City and County of Honolulu, Office of the Managing Director**

Require BWS & HART contracts to be approved as to form and legality by COR.

**(BWS) Section 7-116. Legal Counsel –**

The corporation counsel of the city shall be the legal adviser of the department and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the department. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the department. Before execution, all written contracts to which the department is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the department.

The department may employ an attorney to act as its legal adviser and to represent the department in any litigation to which the department is a party. (*Reso. 83-357*)

**(HART) Section 17-112. Legal Counsel --**

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority. Before execution, all written contracts to which the authority is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party. (*Reso. 09-252*)

## **Proposal 102. Ryan Akamine**

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from “underrepresented communities” to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

### **Approved by Commission and sent to Style Committee:**

Proposed Amendment: Youth Commission

#### **STATEMENT REGARDING THE CREATION OF A YOUTH COMMISSION**

Shall the City and County of Honolulu Charter be amended to establish a Youth Commission?

#### **Plain Language Statement:**

The proposed Charter amendment would create a Youth Commission to advise the City Council and Mayor on issues relating to children and youth, express the policy priorities of Honolulu’s youth, to create and develop future leaders, and to increase youth involvement in the shaping of public policy. The Commission would be composed of fifteen members from the ages of 14 to 24 appointed by the City Council and the Mayor. The fifteen members shall reflect the diversity of the people of the City and County of Honolulu, including ethnicity, race, gender, sexual orientation, and socioeconomic status. The Youth Commission may employ staff as necessary. The Youth Commission would respond to requests for comment from the City Council and Mayor.

YES FOR APPROVAL \_\_\_\_\_

NO FOR REJECTION \_\_\_\_\_

If approved, the Charter would include the following language:

§ 6-107.

**YOUTH COMMISSION**

1. There shall be an independent youth commission consisting of fifteen members, each of whom shall be between the ages of 14 and 24 years at the time of appointment and shall serve for staggered terms of two years. Each council member shall appoint one member and the mayor shall appoint six members. Five of the members appointed by the mayor shall be from underrepresented communities reflecting the diversity of the people of the City and County of Honolulu, such as ethnicity, race, gender, sexual orientation, and socioeconomic status. The initial appointments shall commence no later than August 1, 2017, and shall be as follows:

A. ONE YEAR: Eight members, three appointed by the mayor and one each appointed by the council members representing districts 1, 3, 5, 7, and 9

B. TWO YEARS: Seven members, three appointed by the mayor and one each appointed by the council members representing districts 2, 4, 6, and 8.

Each succeeding appointment shall be for a term ending two years from the date of the expiration of each term for which the predecessor had been appointed. The commission shall elect a chair from among its members and the commission shall act by a majority vote of its membership. Any vacancy shall be filled in the same manner as for an original appointment.

2. The commission shall advise the council and mayor on the effects of legislative policies, needs, assessments, priorities, programs, and budgets concerning the children and youth of the City and County of Honolulu. The commission shall also express the policy priorities of the children and youth of the City and County of Honolulu. The commission shall respond to requests for comment and recommendation on matters referred to the commission by the council, the mayor, and any officers, departments, agencies, boards, commissions and advisory committees of the City and County of Honolulu.

3. The commission and City Council may establish its rules of procedure and adopt rules and regulations pursuant to law.

4. The commission may employ staff as is necessary to assist it in the performance of its duties.

5. Members of the commission may receive a stipend as determined by the council.

## **Proposal 116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O'ahu and high demand by voters for more conservation of land. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

### **Language agreed to:**

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.

## Proposal 153. Donna Ikeda

### Proposal 153:

### Amended by Commission and sent to Style

#### Section 11-102. Conflicts of Interest --

1. No elected or appointed officer or employee shall:
    - (a) Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form[, under circumstances in which]:
      - (1) If it can reasonably be inferred that the gift is intended to influence the officer or employee in the performance of such person's official duties[.], or is intended as a reward for any official action; or
      - (2) From a lobbyist registered with the city.

Nothing herein shall preclude the solicitation or acceptance of lawful contributions for election campaigns.

  - (b) Disclose confidential information gained by reason of such person's office or position or use such information for the personal gain or benefit of anyone.
  - (c) Engage in any business transaction or activity or have a financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties.
  - (d) Receive any compensation for such person's services as an officer or employee of the city from any source other than the city, except as otherwise provided by this charter or by ordinance.
  - (e) Represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law.
2. No appointed officer shall participate in or make any decision on a city matter if:
  - (a) He or she was directly involved in the matter while employed with a private entity in the twelve months immediately preceding the start of the officer's current employment with the city; and
  - (b) Such prior involvement on behalf of a private entity may tend to impair the independence of judgment in the performance of the officer's official duties.

The prohibition in this subsection shall apply for a period of twelve months from the start of the officer's current employment with the city. The officer may apply for a waiver from this prohibition to the ethics commission, which shall determine, based on the relevant circumstances, whether the waiver is in the best interests of the public. For the purposes of this subsection, the term "officer" shall exclude any member of a board or commission who is not the administrative head of an agency.



## Proposal C-1. Kevin Mulligan

### Section 6-1603. Chief of Police —

1. The chief of police shall be appointed by the police commission for a term of five years. The chief shall serve at the pleasure of the police commission and shall not attain any property interest in the position of chief of police. The police commission may remove or suspend the chief of police at any time prior to the expiration of the five year appointment. The chief shall have had a minimum of five years of training and experience in law enforcement work, at least three years of which shall have been in a responsible administrative capacity. The chief shall not serve beyond the expiration of a term unless appointed again by the police commission. If desiring to do so, the police commission may appoint an incumbent chief to a new term without first engaging in an applicant solicitation and selection process.

2. Before the expiration of a term to which appointed, the chief may be removed or suspended by the police commission ~~[only for cause]~~ for any reason. Such reasons may include but are not limited to:

- a) The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
- b) The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
- c) The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
- d) The chief has acted in a manner for of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief's governing body.

As prerequisites to removal or suspension, the chief shall be given a written statement of the ~~[charge]~~ reasons for removal or suspension and an opportunity for a hearing before the police commission.

~~3. [Gross or continuous maladministration shall be a cause sufficient for removal of the chief. Before removing the chief for such cause, the commission shall give the chief written notice of and a reasonable period to cure the gross or continuous maladministration. If the gross or continuous maladministration is not cured to the commission's satisfaction within the period given, the commission may proceed to remove the chief in accordance with subsection 2.~~

~~This subsection shall not be construed as:~~

- ~~(a) Making gross or continuous maladministration the only cause sufficient for removal of a chief; or~~
- ~~(b) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.~~

~~(c) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.]~~

## Proposal C-2. Kevin Mulligan

### Section 6-1606. Powers, Duties and Functions (of Police Commission)

- Amending Section (d) by giving the Police Commission the power to subpoena and require the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law.<sup>1</sup> The Police Commission can make recommendations concerning allegations of officer misconduct to the Chief of Police and the Chief must respond to the Police Commission with his or her decision on the recommendation in writing. *Currently, the Chief is not required to respond to the Police Commission concerning their recommendations.*
- The Police Commission investigations should provide an objective analysis of complaints filed by citizens to ensure compliance with policy and procedure, best practices and the law.<sup>2</sup>

### **Section 6-1606. Powers, Duties and Functions --**

The police commission shall:

- (a) Adopt such rules as it may consider necessary for the conduct of its business and review rules and regulations for the administration of the department.
- (b) Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.
- (c) Submit an annual report to the mayor and the city council.
- (d) Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members.
- (e) The police commission may issue subpoenas and require the attendance of witnesses and the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law. [and]
- (f) Submit a written report of its findings to the chief of police. If the chief of police disagrees with the findings of the police commission, the chief shall submit the reasons in writing to the police commission. A summary of the charges filed and their disposition shall be included in the annual report of the commission.
- (g) Review and, if deemed necessary, make recommendations on the five-year plan and any update of goals and objectives for the police department which is submitted by the chief of police. The commission shall not have the power to approve, modify, or reject the plan or any update.
- (h) Compare at least annually the actual achievements of the police department against the goals and objectives in the five-year plan or latest update submitted by the chief.
- (i) Evaluate at least annually the performance of duties by the chief of police.

---

<sup>1</sup> City of Long Beach California City Charter – Citizen Police Complaint Commission

<sup>2</sup> Fresno Office of Independent Review

Charter Commission Outreach Meeting June 29, 2016

Except for purposes of inquiry or as otherwise provided in this charter, neither the commission nor its members shall interfere in any way with the administrative affairs of the department.

**Proposal C-3. Guy K. Fujimura**

**Honolulu Zoo Fund**

**Section \_\_\_\_\_. Honolulu Zoo Fund –**

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.

2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.

3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.

5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.

**Proposal C-5. Cheryl D. Soon**

(NEW)

**ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

**Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

**Section 6-1802. Powers, Duties and Functions --**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

**Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

**Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.

DEPARTMENT OF PLANNING AND PERMITTING  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 7TH FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR  
ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

NOTICE OF APPLICATION AND PUBLIC HEARING

**Kalaheo High School Athletic Field Improvements  
Special Management Area Use Permit (Major)**

This is to inform you that we are reviewing an application for a Special Management Area (SMA) Use Permit to improve an existing athletic complex at Kalaheo High School. Development includes grading, reconstruction and expansion of existing athletic fields, construction of new bleachers, walkways, drainage improvements, irrigation systems, retaining walls, and other appurtenant improvements.

Landowner: City and County of Honolulu and the State of Hawaii  
Applicant: State Department of Education (Duane Kashiwai)  
Agent: Fukunaga and Associates, Inc. (Lane Fukumoto)  
Location: 730 Iliaina Street – Kailua  
Tax Map Keys: 4-4-34: 24 (por.), 28, 29 (por.)  
File No.: 2016/SMA-34(AB)  
Acceptance Date: June 8, 2016

In accordance with Chapter 25, Revised Ordinances of Honolulu, the Department of Planning and Permitting will conduct a Public Hearing regarding this application on Tuesday, July 12, 2016 at 1:30 p.m. at the Kailua District Park, Room K, 21 South Kainalu Drive, Kailua, Hawaii. The Public Hearing will also be advertised in the Honolulu Star-Advertiser. All interested persons are invited to attend. Any disabled person requiring special assistance should contact our department for details.

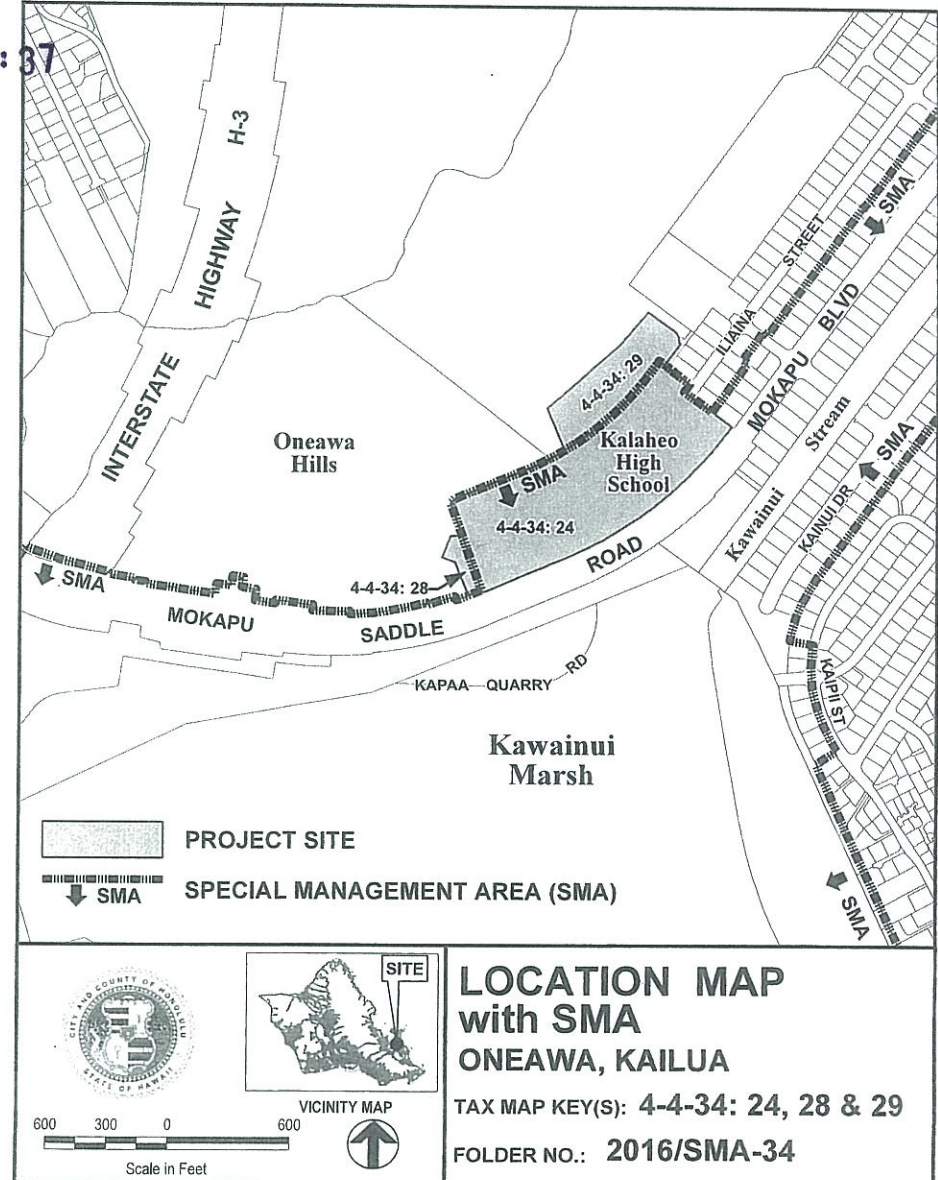
You may review the application material at our office Monday through Friday between the hours of 7:45 a.m. and 4:30 p.m. We have attached a location map of the proposed Project as a reference.

Those persons desiring to testify may register prior to the Public Hearing at the Public Hearing site and are encouraged to submit one copy of their testimony in writing. Attendance at the Public Hearing is not necessary to submit testimony. Written testimony which is received by our department at the above address prior to the Public Hearing will be considered in the evaluation of the application.

Should you have any questions, please contact Alex Beatty of our staff at 768-8032.

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City and County of Honolulu

Date Prepared: June 2016

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DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



GEORGE I. ATTA, FAICP  
DIRECTOR  
ARTHUR D. CHALLACOMBE  
DEPUTY DIRECTOR

2016/SV-1(MT)

**NOTICE OF APPLICATION AND PUBLIC HEARING**

**Southeast Asia-United States Cable System - Makaha Beach Landing**

This is to inform you that Department of Planning and Permitting is reviewing an application for a Shoreline Setback Variance to allow a transpacific submarine fiber optic telecommunication cable from Southeast Asia to cross through the 40-foot shoreline setback area of Makaha Beach Park and connect to a cable landing station.

FILE NUMBER: 2016/SV-1  
LANDOWNER: City and County of Honolulu (Makaha Beach Park) & Hawaiian Telecom SVCS Co., Inc. (Station Site)  
APPLICANT: NEC Corporation of America (John Williams)  
AGENT: R. M. Towill Corporation (Brian Takeda)  
LOCATION: 84-369 Farrington Highway (Makaha Beach Park) and 84-284 Farrington Highway (Station Site) - Makaha  
TAX MAP KEY: 8-4-1: 12 (Makaha Beach Park) and 8-4-2: 59 (Station Site)  
ACCEPTED: June 15, 2016

If you wish to review the materials that have been submitted, you may do so at our office on weekdays between 7:45 a.m. and 4:30 p.m. The application material is also available for your review at Ala Moana Shopping Center Satellite City Hall. We have attached a map of the proposed Project's location as a reference.

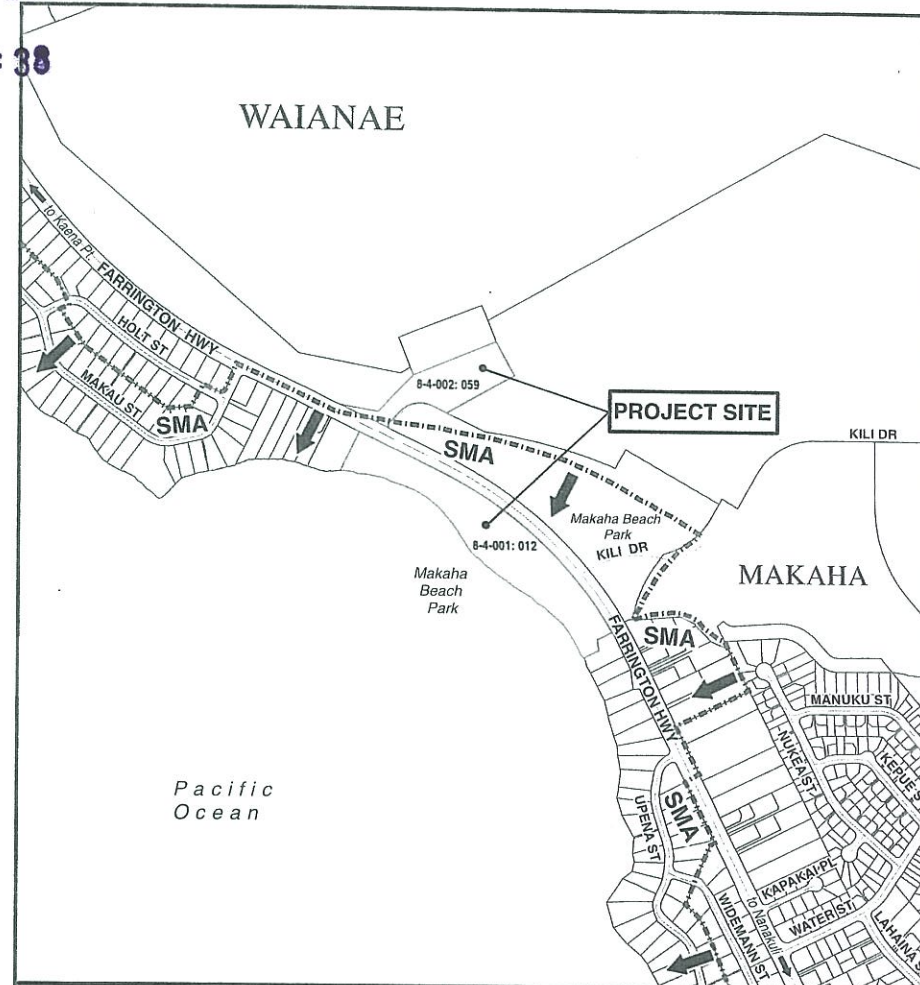
A Public Hearing regarding this application will be held on Wednesday, July 27, 2016, at 10:30 a.m. in the Mission Memorial Conference Room, 550 South King Street, Honolulu, Hawaii 96813. The Public Hearing will also be advertised in the Honolulu Star-Advertiser. All interested persons are invited to attend. Any disabled person requiring special assistance should contact 768-8006 for details.

Those persons desiring to testify may register prior to the Public Hearing at the Public Hearing site and are encouraged to submit one copy of their testimony in writing. Attendance at the Public Hearing is not necessary to submit testimony. Written testimony which is received by our department at the above address prior to the Public Hearing will be considered in the evaluation of the application.

Should you have any questions, please contact Mark Taylor of our Land Use Approval Branch at 768-8020 or via email at [mtaylor1@honolulu.gov](mailto:mtaylor1@honolulu.gov).

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AGENDA

Meeting of the Zoning Board of Appeals  
June 30, 2016

Time: 12:30 p.m.  
Place: **Mission Memorial Conference Room**  
Mission Memorial Building  
550 South King Street  
Honolulu, Hawaii 96813

I. CALL TO ORDER

II. CONTESTED CASE HEARINGS

- A. **(2016/ZBA-5) – WILLIAM D. ANGEL**, 67-419 Waialua Beach road,  
Waialua.

FOR ACTION

1. Scheduling

Contested Case Hearing – November 3, 2016  
Petitioner's Position Statement Due – October 20, 2016  
Director's Position Statement Due – October 27, 2016

- B. **(2015/ZBA-8) – CHARLES HUANG**, 65-491 Kaukonahua Road, Waialua.

FOR ACTION

1. Status/Scheduling

- C. **(2014/ZBA-2) – MICHAEL AND KATHLEEN CONNALLY**, 1131  
Kaumoku Street, Honolulu (Kaluauui).

FOR ACTION

1. Contested Case Hearing

D. **(2016/ZBA-2) – CAT TRAX II LLC, 111 Kailuana Place, Kailua.**

**FOR ACTION**

1. Motion to Dismiss

a. Director of the Department of Planning and Permitting's  
Motion to Dismiss Appeal; Memorandum in Support of Motion  
to Dismiss Appeal; Exhibits "1" – "3"

III. **ELECTION OF CHAIR AND VICE-CHAIR FOR FISCAL YEAR 2016 -2017**

A. **Election of Chair and Vice-Chair for the period July 1, 2016 and  
ending June 30, 2017.**

**FOR ACTION**

1. Election

IV. **ADJOURNMENT**

**Information**

The next meeting of the Board is Thursday, July 14, 2016 at 12:30 p.m.

\*\*\*\*\*

Note: If you require special assistance, auxiliary aid and/or service to participate in the Zoning Board of Appeals meeting (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to info@honoluluodpp.org at least three business days prior to the event. Prompt requests will help ensure the availability of services and accommodations.

\*\*\*\*\*



## ALA MOANA-KAKA'AKO NEIGHBORHOOD BOARD NO. 11

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
(808) 768-3710 • FAX: (808) 768-3711 • [www.honolulu.gov/nco](http://www.honolulu.gov/nco)

### REGULAR MEETING AGENDA

Tuesday, June 28, 2016, 7:00 p.m.

Makiki Christian Church

829 Pensacola Street

**Rules of Speaking:** Anyone wishing to speak is asked to raise his/her hand, and when recognized by the Chair, to address comments to the Chair. Speakers shall keep their comments to under three (3) minutes, and those giving reports are urged to keep their reports to three (3) minutes or less. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds (2/3) vote (6) of this nine (9)-member Board is needed to add an item to the agenda. Adding an item to the agenda, however, is **not** permitted if (1) the item to be added is of reasonably major importance and (2) action on the item by the board will affect a significant number of persons. Determination of whether a specific matter may be added to an agenda must be done on a case-by-case basis.

**Social Media:** When posting content about this meeting online, please use hashtag #NB11.

1. **Call to Order:** Chair Ryan Tam
  - 1.1 Roll call: Ryan Tam, Chair; Larry Hurst, First Vice Chair; Duane Komine, Second Vice Chair; William Ammons; Roy Bumgarner; Rodney Chang; Michael Zehner; John Horvath, Treasurer
2. **Public Safety Reports**
  - 2.1 Honolulu Fire Department (HFD)
  - 2.2 Honolulu Police Department (HPD)
3. **Filling of Vacancies** (Proof of residency required, Oath of Office as needed)
  - 3.1 **Subdistrict 1 - Official boundary description:** "Beginning at the junction of King Street and Kalākaua Avenue, southeast along Kalākaua Avenue to Kapi'olani Boulevard, thence west along Kapi'olani Boulevard to Ke'eaumoku Street, thence northeast along Ke'eaumoku Street to King Street, thence southeast along King Street to Kalākaua Avenue."
4. **Presentations** (Five (5) minutes each)
  - 4.1 International Union for Conservation of Nature (IUCN) World Conservation Congress Update: Ala Wai Canal closure - Jason Redulla, Department of Land and Natural Resources
  - 4.2 33rd Annual Dick Evans Memorial Road Race (via Ala Moana Boulevard) – Sunday, August 21, 2016
5. **Residents' and Community Concerns**
6. **Committee Reports**
  - 6.1 Health and Public Safety: Larry Hurst
    - 6.1.1 Citizen Patrols Report
  - 6.2 Community Relations: Duane Komine, Ryan Tam, Larry Hurst, William Ammons
  - 6.3 Hawaii Community Development Authority (HCDA): Rodney Chang
  - 6.4 Legislation: Michael Zehner
  - 6.5 Parks and Water: Ryan Tam
    - 6.5.1 Board of Water Supply (BWS) Report
    - 6.5.2 Kuleana Kakaako
  - 6.6 Transportation: William Ammons
    - 6.6.1 Honolulu Authority for Rapid Transportation (HART) Report: Pat Lee
  - 6.7 Homelessness: William Ammons, Rodney Chang, Ryan Tam, Duane Komine
7. **Reports of Members' Attendance at Other Meetings**

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**8. Elected Officials**

- 8.1 Mayor Kirk Caldwell's Representative: Noelle Wright, Mayor's Office of Economic Development
- 8.2 Councilmember Carol Fukunaga
- 8.3 Councilmember Ann Kobayashi; James Larson, staff
- 8.4 Councilmember Trevor Ozawa; Francis Choe, staff
- 8.5 State Representative Tom Brower
- 8.6 State Representative Scott Saiki; Kay Yasufuku Tam, staff
- 8.7 State Senator Suzanne Chun Oakland
- 8.8 State Senator Brickwood Galuteria; Raytan Vares, staff
- 8.9 Governor David Ige's Representative: Cindy McMillan, Office of the Governor

**9. Old Business**

**10. New Business**

- 10.1 Consider resolution in support of requiring sufficient notice prior to Finance committee hearings at the legislature.
- 10.2 Consider resolution regarding Bill 61 Relating to Industrial lands in Kakaako.
- 10.3 Consider resolution regarding HB 2604 CD1 Relating to the Acquisition of Real Property.

**11. Board Administration**

- 11.1 Approval of the May 24, 2016 Regular Meeting Minutes
- 11.2 Treasurer's Report: John Horvath

**12. Notice of Upcoming Events**

- 12.1 Koolau Poko Sustainable Communities Plan – Public Hearing: Wednesday, July 6, 2016, 1:30 p.m. at the Pali Golf Course
- 12.2 Federal Emergency Management Agency, Disaster Preparedness Training, July 9, 8:00 a.m.-12:00 p.m. Noon at the HCDA Community Meeting Room. Registration: sharonymoriwaki@gmail.com.
- 12.3 Liquor Commission Hearings (4:00 p.m., 711 Kapiolani Blvd, 6th Floor)
  - 12.3.1 Pau Hana Park Ala Moana (1687 Kalakaua Avenue) – Thursday, July 7, 2016
  - 12.3.2 Artistry Events Center and Lounge (461 Cooke Street) – Thursday, July 21, 2016
  - 12.3.3 Foodland Farms and The Bar (1450 Ala Moana Blvd) – Thursday, July 21, 2016

**13. Announcements**

- 13.1 The next regular meeting of the Ala Moana-Kaka'ako Neighborhood Board is scheduled for Tuesday, July 26, 2016, 7:00 p.m. at Makiki Christian Church located at 829 Pensacola Street
- 13.2 No loitering on Makiki Christian Church grounds after 9:00 p.m.

**14. Adjournment**

Broadcasts of the Ala Moana-Kaka'ako Neighborhood Board Meetings are on 'Ōlelo 49 on the first and third Thursdays at 8:00 a.m. and every second Sunday at 6:00 p.m.

A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant K. Russell Ho at (808) 768-3715 or e-mail [kho4@honolulu.gov](mailto:kho4@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).





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## HAWAII KAI NEIGHBORHOOD BOARD

### **REGULAR MEETING AGENDA – Tuesday, June 28, 2016**

**GREG KNUDSEN**  
At-Large  
Chairperson

**ELIZABETH REILLY**  
At-Large  
Vice Chairperson

**RENÉ GARVIN**  
At-Large  
Secretary

**MAXINE RUTKOWSKI**  
Subdistrict #4  
Treasurer

**NATALIE IWASA**  
At-Large

**ROBERT CLARK**  
Subdistrict #1

**MARIAN GREY**  
Subdistrict #2

**CARL MAKINO**  
Subdistrict #3

**CAROL JAXON**  
Subdistrict #5

**HERB SCHREINER**  
Subdistrict #6

**LASHA SALBOSA**  
Subdistrict #7

**BRITNEY  
TAAMU-MIYASHIRO**  
Subdistrict #8

**Vacant**  
Subdistrict #9

**ROBERTA MAYOR**  
Subdistrict #10

**PAIGE ALTONN**  
Subdistrict #11

**Hawaii Kai  
Neighborhood Board #1**  
c/o Neighborhood  
Commission Office  
530 So. King St., Rm. 406  
Honolulu, Hawaii 96813  
Phone: (808) 768-3710  
Fax: (808) 768-3711  
[www.honolulu.gov/nco](http://www.honolulu.gov/nco)

*Hawaii Kai Neighborhood  
Board meets the last Tuesday  
of every month except Dec.,  
7 p.m., Hahaione Elementary  
School cafeteria. The public is  
welcome to attend.*

7:00 p.m. – Hahaione Elementary School Cafeteria, 595 Pepeekeo St., Honolulu, Hawaii 96825

1. **CALL TO ORDER** – Chairperson Greg Knudsen
  - 1.1. Self introduction of Board members
2. **VACANCY**
  - 2.1. **SUBDISTRICT 9** – Three-minute speech per candidate. See endnote\* details.
3. **STATUS REPORTS** – Three minutes maximum per department. Questions to follow.
  - 3.1. Honolulu Fire Department
  - 3.2. Honolulu Police Department
  - 3.3. Board of Water Supply
4. **COMMUNITY ANNOUNCEMENTS** – Brief announcements by board members and the public on events, activities, and general information directly relating to Hawaii Kai.
5. **PUBLIC-GENERATED ISSUES** – Three minutes per speaker. Questions to follow. Issues/concerns not listed elsewhere on the Board's agenda may be raised, but no Board action can be taken because of the "Sunshine Law."
6. **CANDIDATE STATEMENTS** – Three minutes per speaker. Questions to follow. Brief introductions/announcements by individuals in 2016 races for public office.
7. **OFFICIALS' REPORTS** – Three minutes per speaker. Reports should specifically relate to Hawaii Kai. Questions to follow.
  - 7.1. Mayor's Office representative – Tim Houghton
  - 7.2. Councilmember Trevor Ozawa
  - 7.3. Senator Sam Slom – District 9
  - 7.4. Senator Laura Thielen – District 25
  - 7.5. Representative Gene Ward – District 17
  - 7.6. Representative Mark Hashem – District 18
8. **OLD BUSINESS**
  - 8.1. Update on recent Board issues
    - 8.1.1. Charter Commission proposal to eliminate Neighborhood Boards
    - 8.1.2. Current status of Koko Crater Stables
    - 8.1.3. Neighborhood Plan amendments
9. **BOARD COMMITTEES**
  - 9.1. **Transportation & Safety Committee** – René Garvin, chairperson
    - 9.1.1. Report from committee meeting on June 13, 2016
    - 9.1.2. Announcement of committee meeting on July 11, 2016, 6:00 - 8:00 p.m., Hawaii Kai Public Library conference room
  - 9.2. Announcements by other committee chairpersons as needed



Oahu's Neighborhood Board System – Established 1973

**Hawaii Kai Neighborhood Board – Regular Meeting Agenda**  
June 28, 2016 – Page 2

**10. APPROVAL OF REGULAR MEETING MINUTES**  
10.1. May 31, 2016

**11. TREASURER'S REPORT – Maxine Rutkowski**

**12. OTHER BOARD ANNOUNCEMENTS**  
12.1. Board Member Announcements  
12.2. Board Chairperson Announcements  
12.2.1. Correspondence  
12.2.2. Other Announcements

**13. CLOSING ANNOUNCEMENTS**

- 13.1. The Hawaii Kai Neighborhood Board's next regular meeting is Tuesday, July 26, 2016, 7:00 p.m., at Hahaione Elementary School Cafeteria.  
13.2. Hawaii Kai Neighborhood Board regular meetings are cablecast on Olelo Ch. 49 on the 2nd Monday of the following month at 9:00 p.m., repeating on that month's 3rd Friday and the next month's 1st Friday at 7:00 a.m. Videos can also be seen online at <http://www.olelo.org/olelonet> (search "Hawaii Kai Board"), or via [www.honolulu.gov/nco/boards](http://www.honolulu.gov/nco/boards) ("Board Meeting Video Archive").

**14. ADJOURNMENT**

**\* VACANCY: SUBDISTRICT 9** (Lunalilo Park, Makai) – Appointment through June 2017. Candidates must be 18 and older and reside in their district (bring official ID). Board majority of at least eight votes needed for appointment. More than one round of voting may occur. Successful candidate will take Oath of Office upon appointment.

**Boundaries:** From the intersection of Lunalilo Home Road and Kalanianaʻole Highway, north on Lunalilo Home Road to the southwestern boundary of the Lunalilo Home Subdivision, thence southeast and northeast on the boundary of the Lunalilo Home Subdivision to the eastern corner of the Lunalilo Home, thence southeast along the boundary between Lunalilo Park - 3 Subdivision and the Lunalilo agricultural area to the boundary of Koko Head Regional Park, thence south on this boundary to the north corner of the Koko Head District Park, thence along the northeast and southeast boundaries of the District Park to the south corner of the District Park at Kalanianaʻole Highway and Hanauma Bay Road, thence west along Kalanianaʻole Highway to Lunalilo Home Road.

**Hawaii Kai Neighborhood Board**

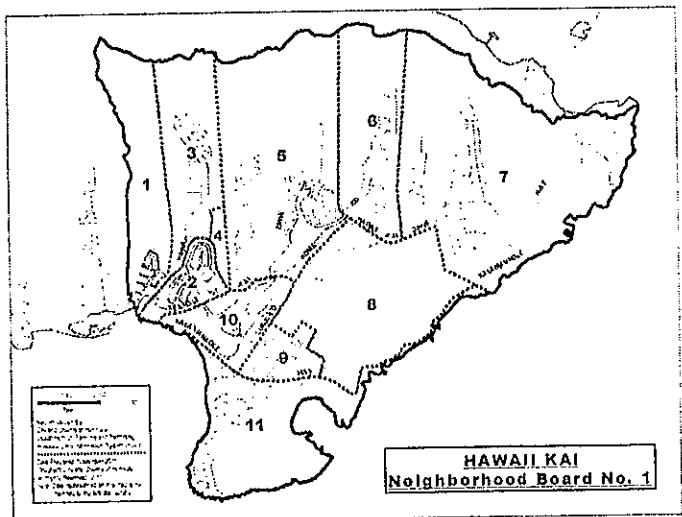
Chairperson: Greg Knudsen, 395-3725, [knudsen123@gmail.com](mailto:knudsen123@gmail.com)

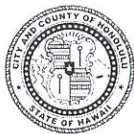
For agenda, minutes, member contact directory, and other information, go to [www.honolulu.gov/nco/boards](http://www.honolulu.gov/nco/boards).

To receive this Board's agenda and minutes by mail or email, visit the Neighborhood Commission Office, Honolulu Hale, 530 So. King St., Rm. 406, Honolulu, Hawaii 96813; call Neighborhood Assistant Relley Araceley at 768-3790 or fax 768-3711; or go to [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

If you want to attend a Neighborhood Board meeting and have questions about accommodations for a physical disability or a special physical need, call the Neighborhood Commission Office at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.

Bulky items pickup date (4th Wed. of month): July 27





## HAWAII KAI NEIGHBORHOOD BOARD NO. 1

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET <http://www.honolulu.gov/nco>

### Transportation & Safety Committee Meeting

Monday, July 11, 2016

6:30 – 8:00 PM

Hawaii Kai Public Library Conference Room  
249 Lunalilo Home Road, Honolulu, HI 96825

### AGENDA

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN 22 AM 8:41

- I. Call to Order: Chair, Rene' Garvin
  - a. The Transportation & Safety Committee will continue the review and discussion of resident concerns about traffic safety in Hawaii Kai begun at the Monday, June 13, 2016 meeting and ask for continued input and information from the police and transportation departments. The committee may take action on agenda items by submitting recommendations to the Hawaii Kai Neighborhood Board No. 1 for further discussion and action.
- II. Resident Safety Concerns: Additional resident concerns not covered at the Monday, June 13, 2016 meeting.
- III. Honolulu Police Department (HPD) – Observations and input.
- IV. Department of Transportation Services (DTS) – Continued discussion of requirements DTS must meet and what processes are involved, along with steps taken to date.
- V. Joint Discussion of Possible Solutions
- VI. Adjournment.





# Honolulu Committee on Aging

CITY AND COUNTY OF HONOLULU

715 South King Street, Suite 211 • Honolulu, Hawaii 96813

Neva Keres, Chair  
Cullen T. Hayashida, PhD, Vice Chair  
Jinny Okubo, Secretary  
Patricia Bazin, Member  
Edward Cruickshank, Member  
Shirley Kidani, Member  
Wayne Kiriara, Member  
Dr. Kamal Masaki, Member

## MEETING NOTICE

Wednesday, June 29, 2016

9:00-11:00 am

Elderly Affairs Division

Department of Community Services

City and County of Honolulu

715 South King Street, Suite 211, Honolulu, Hawaii

## A G E N D A

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN 22 AM 8:37

1. Call to Order/Roll Call/Introductions/Approval of Minutes
2. Agency/Public Testimonies on All Agenda Items
3. Permitted Interactive Group (PIG) Report
4. Scheduling of Next Meeting
5. Adjournment

\*\*\*\*\*

NOTE: Any person requiring *auxiliary aids or services* (i.e. large print, American Sign Language interpreter, or wheelchair accessibility) *due to a disability* to participate in the public meeting/hearing process, please contact the Honolulu Committee on Aging c/o Elderly Affairs Division at 768-7705 at least three business days prior to the scheduled meeting/hearing.

\*\*\*\*\*

The Honolulu Committee on Aging is committed to allowing public testimony at open meetings.

For those wishing to present oral testimony on the items listed in the agenda, please register by completing a speaker registration form on-site on the day of the meeting. Persons not registered to speak on an agenda item should raise their hands at the time public testimony is invited (Item



3 of the agenda) or at the time a particular agenda item is announced, and they will be given an opportunity to speak following oral testimony by any registered speakers. Speaking time will be limited to two minutes.

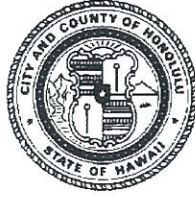
Written testimony may be emailed to [ablackwell@honolulu.gov](mailto:ablackwell@honolulu.gov), prior to the day of the meeting, for distribution at the meeting. Ten (10) copies are requested if written testimony is submitted on-site on the day of the meeting. If submitted, written testimonies, including testifier's address, email address, and phone number may be posted on the Committee webpage.

2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov)

Web Site:  
[honoluluchartercommission.org](http://honoluluchartercommission.org)



#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

MONDAY, JUNE 27, 2016  
6:00 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

#### AGENDA

2016 JUN 21 PM 4:29  
RECEIVED  
CITY CLERK  
C & C OF HONOLULU

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- By 12:00 p.m. noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to three minutes per agenda item.

### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 6:00 p.m. of the day prior to the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission. If written testimony is emailed after that time, please provide 15 hard copies for the meeting.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

### I. CALL TO ORDER

Roll Call

### II. TESTIMONY

Public testimony will be heard on certain proposals being considered by the Honolulu Charter Commission to amend the Honolulu Charter. See Attachment A for the list of proposals.

### III. ANNOUNCEMENTS

Next meeting date.

### IV. ADJOURNMENT

## ATTACHMENT A

### Proposal 2. Glen I. Takahashi, City Clerk

The proposal relates to Special Elections and specifically requests that the timing of the ballot process be extended to allow enough time to meet the requirements of the Uniformed Military and Overseas Voter Act, passed by the Hawaii State Legislature in 2012, that requires that ballots must be mailed to military and overseas voters at least forty-five days prior to an election. Currently, the Charter requires the special election to be held within 60 days of a vacancy. The extension would be for an addition 20 days for a district special election (for a council vacancy) and an additional 60 days for a countywide special election (for the mayor or prosecutor). See sections 3-105, 5-106, and 8-106 of the Revised Charter of the City and County of Honolulu.

As amended on June 2, 2016, by the Style Committee:

#### **"Section 3-105. Vacancy in Office --**

A vacancy in the office of any councilmember shall be filled in the following manner:

(a) If the unexpired term is less than one year, the remaining members of the council shall elect a successor with requisite qualifications to fill the vacancy for the unexpired term. Vacancies shall be filled only at a **[regular]** meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill any vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy for the unexpired term.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by special election to be called by the council within ten days and to be held within **[sixty] one hundred twenty** days after the occurrence of the vacancy. At such time, the electors of the district shall elect a successor to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. **Pending the election, the remaining members of the council shall make a temporary appointment with requisite qualifications to fill the vacancy until a successor is duly elected. The vacancy shall be filled only at a meeting of the council after reasonable notice of intent to fill the vacancy has been given to all remaining members of the council by the presiding officer. Should the council fail to fill the vacancy within thirty days after its occurrence, the mayor shall appoint a successor to fill the vacancy until a successor is duly elected.**

#### **"Section 5-106. Vacancy in Office --**

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within ~~[sixty]~~ **one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

2. Pending the election of a mayor in case of a vacancy or in the temporary absence of the mayor from the state or temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the director of budget and fiscal services shall then act as mayor."

**"Section 8-106. Vacancy in Office --**

A vacancy in the office of the prosecuting attorney caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the office of the prosecuting attorney shall be filled by the first deputy who shall act as prosecuting attorney, or if the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor with the approval of the council shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within ~~[sixty]~~ **one hundred twenty** days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election shall be held in conjunction with such other election. Pending the election of the prosecuting attorney, the first deputy shall act as prosecuting attorney. If the position of first deputy is vacant or if the first deputy does not meet the minimum qualifications for prosecuting attorney, the mayor, with the approval of the council, shall fill the vacancy by appointment of a person with the requisite qualifications within thirty days after the occurrence of the vacancy."

### **Proposal 3. Brandon Elefante, Council-member**

The Honolulu City Council adopted Resolution 15-165, CD-1, on July 7, 2015. This resolution requests that the Charter Commission process an amendment to the City Charter amending Section 9-204(3). This amendment changes the parameters of the use of money in the Affordable Housing Fund so that the money can be used for persons earning sixty percent or less of median household income (AMI) in the area, and allows mixed-use, mixed-income projects. The changes also requires that the housing remain affordable for sixty years. The current language is too restrictive, and the fund is not being drawn down for its intended purposes. The change to sixty percent AMI will allow these funds to be used for projects that also use the state's Low Income Housing Tax Credits and other low-income housing credits, and the change to a sixty-year term of affordability will allow project to potentially proceed on state lands which could not be encumbered "in perpetuity." These changes will allow partnerships with the state and private developers who build low-income units and also allow mixed-income projects to include low-income units. It will allow the fund to be expended for low-income units as originally proposed and intended. It updates the parameters for the use of the fund monies to meet current low-income housing development possibilities and address financing constraints.

As amended by the Housing Permitted Interaction Group 5/16/16:

3. Moneys in the Affordable Housing Fund shall be used to provide [and maintain] affordable housing for persons earning [less than fifty] sixty percent or less of the median household income in the city for the following purposes: provision and expansion of affordable rental housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and [maintenance of] capital improvements of mixed-use, mixed-income projects that include affordable rental housing [for sale or for rental], provided that the rental housing remains affordable [in perpetuity.] for at least sixty years.

**Proposal 39. Totto**

Authorize the Salary Commission to set salary ranges for attorneys who work for the Ethics Commission which would set their actual salaries.

Amended by the Style Committee and approved by the Commission on June 17, 2016:

**Section 11-107. Ethics Commission –**

[only the paragraph on staff appointments, etc., was amended. The rest of the section remains as currently drafted]

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultations may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director and staff attorneys, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be [fixed by ordinance] set by the ethics commission within an excluded managerial compensation plan applicable to city and county employees. The salary of staff attorneys shall be set by the ethics commission; provided that salaries of staff attorneys shall not be more than salaries of comparable attorneys in the department of corporation counsel.

**Proposal 40. Tsujimura**

To create a sunset provision for all boards and commissions in the City and County of Honolulu.

The Counsel shall, no less than every five years, review the necessity of every board and commission of the City and County of Honolulu. Each evaluation shall include the amount budgeted for the board and commission, the staff time allocated to the board and commission, the number of decisions made, the impact if such board or commission were sunseted, the overall necessity of the board and commission, and any other relevant issue specific to that board or commission.

The Counsel shall issue a public report no later than January preceding the November election, following the review. There shall be a ballot issue included in the November election which shall ask the voters separately, whether each and every board or commission reviewed shall be retained. The ballot issue shall include the cost of each board and commission. If a board and commission does not receive more than fifty percent of the votes cast said board or commission shall be summarily terminated before January 1st of the subsequent year following said election.

The review by the Counsel of the boards and commissions may be done in two phases with the board or commissions with the largest budgets in the first phase and the smaller budgeted boards and commissions in the second phase.



#### **Proposal 44. Paul Oshiro**

Term Limits: Section 3-102, Section 5-101, Section 8-102, Section 14-104, Section 14-New.

#### **Section 3-102. Number, Election and Terms of Office of Councilmembers --**

The council shall consist of nine members. One member shall be elected from each of the nine districts hereinafter provided. Except as provided in Section 16-122, the regular terms of office of councilmembers shall be four years beginning at twelve o'clock meridian on the second day of January following their election. The terms shall be staggered in accordance with Section 16-122. No person shall be elected to the office of councilmember for more than **[two] three** consecutive four-year terms.

#### **Section 5-101. Election and Term of Office --**

The electors of the city shall elect a mayor whose term of office shall be four years beginning at twelve o'clock meridian on the second day of January following the mayor's election. No person shall be elected to the office of mayor for more than **[two] three** consecutive full terms.

#### **Section 8-102. Election and Term of Office --**

The **electors of the city shall elect a prosecuting attorney whose** term of office **[of the prosecuting attorney]** shall **[commence] be four years beginning** at twelve o'clock meridian on the second day of January following the prosecuting attorney's election. **No person shall be elected to the office of prosecuting attorney for more than three consecutive full terms.**

#### **Section 14-104. The Neighborhood Plan --**

The neighborhood plan shall designate the boundaries of neighborhoods and provide procedures by which registered voters within neighborhoods may initiate and form neighborhoods and the manner of selection of the members of neighborhood boards**[, their terms of office]** and their powers, duties and functions.

The plan may be amended by the commission, after public hearings to be held in various areas of the city, and amendments shall become effective upon filing with the city clerk.

#### **Section 14-XXX. Term of Office --**

**The term of office for neighborhood board members shall be two years. No person shall be elected as a neighborhood board member for more than six consecutive full terms.**

**Proposal 48. Cheryl Soon**

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

**Article II, Section 2-102 Purposes**

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

AMENDED 6/17/16 – unanimous vote:

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and promote stewardship of natural resources for present and future generations. All powers shall be administered in a transparent and inclusive manner and shall encourage full participation in by the citizenry in the process of governance.

## **Proposal 54. Cheryl Soon**

The purpose of this propose Charter amendment is to require the preparation of functional plans by the agencies responsible for infrastructure. It connects the Functional Plans to the planning system by requiring that they be submitted to the Planning Commission. The proposal is silent on whether they are to be adopted and if so, by whom. But that could become part of future conversations.

Functional plans are routinely prepared in most jurisdictions, but our Charter is silent as to their existence, purpose and relationship to each other. This amendment serves to correct that.

### **Article VI**

- Chapter 8 Section 6-803
  - Chapter 9 Section 6-903
  - Chapter 14 Section 6-1403
  - Chapter 15 Section 6-1509
  - Chapter 17 Section 6-1703
- Article VII      Section 7-103

**In Article VI Managing Director, add the following the Powers, Duties, and Functions for various agencies.**

### **Chapter 8 Department of Environmental Services**

#### **Section 6-803**

Delete existing [a) Advise the director of design and construction concerning the planning and design of wastewater facilities.]

Add new duties

- a) Prepare a functional plan for wastewater to emphasize source reduction and reuse where appropriate. The plan shall be for a thirty years horizon with five year updates. The wastewater functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.
- b) Oversee design and construction of wastewater and solid waste facilities constructed in accordance with the functional plans.
- c) Prepare a proactive and sustainable approach and functional plan for materials management including but not limited to reduction and recycling to meet GHG reduction goals. The plan shall be for a thirty year horizon with five year updates. The solid waste functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

### **Chapter 9 Department of Facilities Maintenance**

#### Section 6-903

Add new duties.

- d) Prepare and implement an energy efficiently plan to reduce GHG emissions and meet clean energy goals of the State and City & County. Update annually.

#### **Chapter 14 Department of Parks and Recreation**

##### Section 6-1403

Add new duties

- a) Prepare a functional plan for parks and recreation on O'ahu and update it every five years. The plan shall be for a thirty year horizon with five year updates. The parks and recreation functional plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

#### **Chapter 15 Department of Planning & Permitting**

Amend Section 6-1509 Development Plans to add new opening sentence.

Development Plans shall promote the formation of smart and sustainable communities.

#### **Chapter 17 Department of Transportation Services**

##### Section 6-1703

Add f) Prepare a proactive and sustainable approach and plan for city transportation systems to meet GHG reduction goals and clean energy goals. The plan shall be for a thirty year horizon with five year updates. The energy conservation and emissions reduction plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

**In Article VII Board of Water Supply** add the following to Section 7-103, new item 2, others to be re-numbered accordingly.

- 2. Prepare a functional plan for water supply, including water conservation planning. The plan shall be for a thirty year horizon with five year updates. The water supply plan shall be sent to the Planning Commission for a review of consistency with the General Plan and Sustainable Community Plans.

Amendment approved by the Commission on April 7, 2016:

#### **Article VII BWS 7-105:**

(d) Determine the policy for construction, additions, extensions and improvements to the water systems of the city which shall include a long range capital improvement program covering a period of at least six years and prepare a water functional plan with appropriate maps and list of projects to support requests in the annual capital budget, covering a period of no less than twenty years; such projects should include actions necessary to address the effects of climate change which shall be

adopted after consultation with the director of planning and permitting and which may be amended or modified by the board from time to time.

**Article IX Financial Admin. 9-103:**

(c)(4) An explanation of the relationship of the capital program and budget to the general plan and development plans of the city as well as the Functional Plans prepared by infrastructure agencies including wastewater, transportation, parks and recreation, and drainage and flood control facilities and adopted by resolution by the Council.

### **Proposal 73. Burkett**

The proposed amendment would create an office that, among other things, provides the policy framework, leadership and coordination across all relevant city agencies, other counties, and the State on climate and resilience related issue. In addition, the office would facilitate expert information, assist with direction setting regarding planning and climate impacts, and audit new and existing policy to assess our relative climate preparedness at a given time. The office would produce an annual report on the state of climate adaptation.

Climate change is an increasingly serious problem that disproportionately affects coastal areas.

Amended at Commission meeting of 6/17/16:

Added exemption of Climate Executive from section 6-1103 of the Charter; added "resiliency" to the provision as noted below:

#### **Section 6-107. Office of Climate Change, [and] Sustainability and Resiliency –**

There shall be an office of climate change, [and] sustainability and resiliency headed by an executive for climate change, [and] sustainability and resiliency who shall be appointed and may be removed by the mayor. The executive for climate change, [and] sustainability and resiliency shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
- (b) Coordinate actions and policies of departments within the city to:
  - (1) Increase community preparedness.
  - (2) Protect economic activity.
  - (3) Protect the coastal areas and beaches.
  - (4) Develop resilient infrastructure in response to the effects from climate changes.
- (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
- (d) Integrate sustainable and environmental values into city plans, programs and policies.
- (e) Promote resiliency of communities and coastal areas.
- (f) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
- (g) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.

- (h) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai'i, which Commission shall meet no less than twice annually for the purpose of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate to the executive for climate change and sustainability, the mayor, council and executive departments of the city

**Section 6-1103. Civil Service and Executive Branch Exemptions --**

The provisions of this chapter of the charter shall apply to all positions in the service of the executive branch. This section shall apply to semi-autonomous agencies as though they are departments of the executive branch. The following positions shall be exempt from the provisions of this chapter of the charter:

(a) Positions of officers elected by public vote; positions of heads of departments; the position of the band director of the Royal Hawaiian Band; the position of the executive for housing; the position of the manager and chief engineer of the board of water supply, the executive for climate change, sustainability, and resiliency, and the manager of any semi-autonomous agency created by ordinance.

(b) Positions in the office of the mayor, but such positions shall be included in the position classification plan. Employees of the civil defense agency and Royal Hawaiian Band, other than the band director, shall not be exempted from civil service.

(c) Positions of deputies of the corporation counsel, deputies and administrative or executive assistants of the prosecuting attorney and law clerks.

.....

**Proposal 76a. City and County of Honolulu, Office of the Managing Director**

**CHARTER COMMISSION  
PERMITTED INTERACTION GROUP FOR PUBLIC TRANSIT PROPOSALS  
REVISED PROPOSAL 76A + NEW RATE COMMISSION (June 1, 2016)**

**REVISIONS TO ARTICLE VI, CHAPTER 17: DEPARTMENT OF TRANSPORTATION SERVICES**

**Section 6-1701. Organization --**

There shall be a department of transportation services which shall consist of a director of transportation services, a rate commission, and necessary staff. The director of transportation services shall be the administrative head of the department.

**Section 6-1703. Powers, Duties and Functions**

The director of transportation services shall:

- (a) Plan, operate and maintain the city's multimodal municipal transportation system in accordance with the general plan and development plans, and advise on the development thereof.
- (b) Locate, select, install and maintain traffic control facilities and devices.
- (c) Provide educational programs to promote traffic safety.
- (d) Promulgate rules and regulations pursuant to standards established by law.
- (e) Manage and maintain all commercial parking facilities except facilities that are attached or adjacent to a building or project managed by another city agency.
- (f) Enforce the collection of fares, fees, rates, tolls and other charges for use of any and all modes of the multimodal municipal transportation system and deposit those collections into the city treasury in a fund separate and apart from any other funds of the city.
- (g) Identify, create and recommend new sources of revenue from non-fare sources to provide additional funding for the planning, operation and maintenance of the multimodal municipal transportation system, including:
  - (1) Promoting, creating and assisting transit oriented development projects near fixed guideway system stations or other multimodal municipal transportation system facilities, which projects are designed to promote transit ridership and are consistent with the intent of the adopted community plans and zoning.
  - (2) Recommending to the council the sale, exchange, lease or transfer of city-owned surplus real property or any interest therein, including air rights, for transit oriented developments.
  - (3) Entering into public-private partnerships or other innovative business relationships with private entities or other public agencies.
  - (4) Engaging in concessions or other means for advertising, parking or other revenue-generating activities as permitted by law in or associated with any multimodal municipal transportation system facilities.
  - (5) Collecting and reporting transit data and receiving federal funds for the multimodal municipal transportation system.
  - (6) Engaging in other activities authorized by law for the purpose of increasing ridership.



**REPEAL SECTIONS 6-1704 AND 6-1705 AND REPLACE WITH THE FOLLOWING:**

**Section 6-1704. Rate Commission --**

1. There shall be a rate commission consisting of seven members appointed as follows:

- (a) Three members shall be appointed by the mayor without necessity of council confirmation;
- (b) Three members shall be appointed by the council; and
- (c) One member shall be nominated and, upon council confirmation, appointed by the mayor.

The member appointed pursuant to this paragraph shall be the chair of the rate commission.

Each member shall be a duly registered voter of the city.

2. Each member of the rate commission shall be appointed to a five-year term except that:

- (a) Of the initial members appointed by the mayor without council confirmation, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term; and

- (b) Of the initial members appointed by the council, one shall be appointed to a two-year term, one shall be appointed to a three-year term, and one shall be appointed to a four-year term.

The term of each member shall commence on July 1 and expire on June 30 of the applicable years.

A member, however, may serve beyond the expiration date until a successor is appointed and qualified.

The term of the successor, no matter when appointed, shall commence on the July 1 immediately following the June 30 expiration of the predecessor's term.

When a member leaves the rate commission by other than expiration of a term, a successor shall be appointed to serve the remainder of the unexpired term. The successor shall be appointed in the same manner as the predecessor.

The council may establish procedures by ordinance for the replacement of a member who cannot serve temporarily because of illness, incapacity, or absence.

No person shall serve on the rate commission for more than two consecutive full terms or more than ten consecutive years, whichever is greater.

3. A majority of the entire membership of the rate commission shall constitute a quorum.

The affirmative vote of a majority of the entire membership of the rate commission shall be necessary to take an action.

4. Section 13-103 of this charter shall not apply to the rate commission or its members.

**Section 6-1705. Powers, Duties and Functions --**

1. The rate commission shall:

- (a) Adopt rules for the conduct of its business.
- (b) When requested by the director of transportation services, or when otherwise deemed necessary and appropriate, but in no event less frequently than annually, review the fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system. The rate commission shall recommend adjustments thereto, such that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support

the operation and maintenance of the multimodal municipal transportation system. In making recommendations on such fares, fees, rates, tolls and other charges, the rate commission may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

(c) Submit an annual report to the director of transportation services, mayor and council.

The rate commission shall make the recommendations authorized under this subsection to the mayor, through the director of transportation services. The mayor will transmit the recommendations to council, with or without amendments. After receiving the recommendations from the mayor, the council shall fix and adjust reasonable fares, fees, rates, tolls and other charges for the use of any and all modes of the multimodal municipal transportation system so that the revenues derived therefrom, in conjunction with any other revenues allocated to the multimodal municipal transportation system, shall be sufficient or as nearly sufficient as possible, to support the operations and maintenance of the multimodal municipal transportation system. In setting fares, fees, rates, tolls and other charges, the council may also consider factors such as transportation equity, accessibility, sustainability, availability, and effect on ridership.

2. Except for purposes of inquiry, neither the rate commission nor its members shall interfere in any way with the administrative affairs of the department of transportation services or the authority.

#### **REVISIONS TO ARTICLE XVII: PUBLIC TRANSIT AUTHORITY**

##### **Section 17-102. Definitions –**

For the purposes of this article and Article VI:

“Authority” and “public transit authority” shall mean the governmental unit known as the “Honolulu Authority for Rapid Transportation.”

“Board” shall mean the policy-making body, consisting of ten members of the board of directors, nine voting members and one non-voting member.

“Develop” shall mean plan, design, develop and construct.

“Executive director” shall mean the executive director of the public transit authority.

“Fixed guideway system” shall mean the minimum operable segment approved by the city council and any extensions to the minimum operable segment approved by the mayor and the city council.

“Multimodal municipal transportation system” shall mean all public transportation systems of the city including, without limitation, bus, paratransit and fixed guideway systems and associated parking and other services.

##### **Section 17-103. Powers, Duties, and Functions --**

1. The public transit authority shall have authority to develop the fixed guideway system as provided in this article.

2. To perform its duties and functions, the transit authority shall have the following general powers:

(a) To make and execute contracts, project labor agreements and other instruments requiring execution by the authority on such terms as the authority may deem necessary and convenient or desirable with any person or entity in the execution and performance of its powers, duties and functions.

(b) To acquire by eminent domain, purchase, lease or otherwise, in the name of the city, all real property or any interest therein necessary for the development of the fixed guideway system; provided however that, prior to commencing such action, the authority shall submit to the council, in writing, a list of the parcels and areas to be acquired. The authority shall have the right to proceed with such condemnation action so long as the council does not adopt a resolution objecting to the condemnation within 45 days of such notification. Alternatively, after receipt of the notice from the authority, the council may approve, upon a single reading of a resolution, such acquisition by eminent domain.

(c) To recommend to the council the sale, exchange or transfer of real property or any interest therein which is under the control of the authority. The council shall take no action to dispose of such property without the written approval of the authority, and all proceeds from the disposition shall be deposited into the transit fund.

(d) To direct the development of the fixed guideway system.

(e) To maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.

(f) To prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.

(g) To make and alter policies for its organization and internal administration.

(h) To create or abolish positions within the authority and establish a pay plan for those persons holding positions in the position classification plan in accordance with Section 6-1109 of this charter.

(i) To make temporary transfers of positions between subdivisions of the authority.

(j) To adopt rules in accordance with state law, when necessary, to effectuate its functions and duties.

(k) To enter into agreements with any public agency or private entity as it deems proper.

(l) To have full and complete control of all real and personal property used or useful in connection with the development of the fixed guideway system, including all materials, supplies, and equipment.

(m) To promote and assist transit oriented development projects near fixed guideway system stations that promote transit ridership, and are consistent with the intent of the adopted community plans and zoning.

(n) To apply for and receive and accept grants of property, money and services and other assistance offered or made available to it by any person, government or entity, which it may use to meet its capital or operating expenses and for any other use within the scope of its powers, and to negotiate for the same upon such terms and conditions as the authority may determine to be necessary, convenient or desirable.

(o) In addition to the general powers under this subsection, other general or specific powers may be conferred upon the authority by ordinance, so long as the powers are consistent with this article of the charter.

#### **Section 17-104. Powers, Duties and Functions of the Board of Directors --**

1. The board shall:

(a) Be the policy making body of the authority.

(b) Determine the policies for the development of the fixed guideway system.

(c) Have the authority to issue revenue bonds under the name of "Honolulu Authority for Rapid Transportation" in accordance with HRS Chapter 49, subject to council approval.

(d) Review, modify as necessary, and adopt an annual operating budget for the authority and an annual capital budget for the fixed guideway system submitted by the executive director of the authority.

(e) Request and accept appropriations from the city, and request and accept grants, loans and gifts from other persons and entities.

(f) Appoint and may remove an executive director, who shall be the chief executive officer of the public transit authority. The qualifications, powers, duties, functions, and compensation of the executive director shall be established by the board.

(g) Evaluate the performance of the executive director at least annually; and submit a report thereon to the mayor and the council.

(h) Review, modify as necessary, and adopt a six-year capital program within six months of the creation of the authority and annually update the six-year capital program, provided that such capital programs shall be submitted by the executive director.

(i) Determine the policy for approval of arrangements and agreements with the federal government and with any public entity, private entity or utility owning or having jurisdiction over rights-of-way, tracks, structures, subways, tunnels, stations, terminals, depots, maintenance facilities, air rights, utility lines, and transit electrical power facilities, subject to approval of the department of transportation services if such arrangements or agreements may affect the operation or maintenance of the fixed guideway system.

(j) Adopt and enforce rules and regulations having the force and effect of law to carry out the provisions of this article of this charter, and any governing federal or state agreements or laws, including rules and regulations pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and the administrative staff.

(k) Submit an annual report to the mayor and council on its activities.

(l) In addition to the general powers under this subsection, other general or specific powers may be conferred by ordinance upon the board, so long as the powers are consistent with this article of the charter.

2. The board shall consist of ten members, nine voting members and one non-voting member. All members shall serve part-time. The board shall be governed by the provisions of Section 13-103 of this charter, except that subsections (b) and (e) shall not apply and as otherwise provided herein.

3. Appointed members. There shall be seven appointed members. The mayor shall appoint three members. The council shall appoint three members. The six appointed and two ex officio voting members shall appoint, by majority vote, a ninth member.

The initial appointments of the seven appointed members shall be as follows: One member from each mayoral or council appointment shall be designated to serve a five-, four-, and three-year term. The ninth member appointed by the voting members shall serve a two-year term.

4. Ex officio members. The state director of transportation and the city director of transportation services shall be ex officio voting members of the board. The director of the department of planning and permitting shall be the ex officio non-voting member of the board. The ex officio members of the board shall not be subject to any term limit.

#### **Section 17-105. Powers, Duties and Functions of the Executive Director --**

The executive director shall:

- (a) Administer all affairs of the authority, including the rules, regulations and standards adopted by the board.
- (b) Sign all necessary contracts for the authority, unless otherwise provided by this article.
- (c) Recommend to the board the creation or abolishment of positions.
- (d) Prepare payrolls and pension rolls.
- (e) Maintain proper accounts in such manner as to show the true and complete financial status of the authority and the activities and performance thereof.
- (f) Prepare an annual operating budget for the authority and an annual capital budget for the development of the fixed guideway system.
- (g) Prepare and maintain a six-year capital program.
- (h) Recommend rules and regulations for adoption by the board, including those pertaining to the organization and internal management of the authority and allocation of decision-making responsibility as between the board and administrative staff.
- (i) Administer programs approved by the board that promote developments near transit stations that would increase multimodal municipal transportation system ridership.
- (j) Review development projects having significant impact on the development of the fixed guideway system.
- (k) As directed by the board, plan, administer and coordinate programs and projects of the fixed guideway system that are proposed to be funded, wholly or partially, under federal or state law and required to be transmitted to the Oahu metropolitan planning organization.
- (l) Attend all meetings of the board unless excused.
- (m) In addition to the general powers under this section, other general or specific powers may be conferred upon the executive director by ordinance, so long as the powers are consistent with this charter.

#### **Section 17-106. Appropriations --**

The authority shall submit a line-item appropriation request for its annual operating budget for the authority and its annual capital budget for the development of the fixed guideway system for the ensuing fiscal year to the council through the office of the mayor by December 1st of each year. The office of the mayor shall submit the authority's line-item appropriation requests without alteration or amendment. The council shall, with or without amendments, approve the authority's appropriation requests.

#### **Section 17-107. Public Hearings --**

The board shall hold public hearings prior to adopting a proposed budget.

#### **Section 17-108. Receipt and Disbursement of Funds --**

All moneys expended by the authority shall be disbursed with the written approval of the authority according to the procedures prescribed by the director of budget and fiscal services.

The authority shall have management and control over the moneys made available to the authority in the special transit fund established to receive the county surcharge on state tax.

The authority shall have the authority to receive and expend federal funds authorized for the development of the fixed guideway system.

**Section 17-109. Bond Sales --**

All bond sales shall be subject to council approval. At the request of the authority, the council may, by resolution, approve and the director of budget and fiscal services, when so directed by the board, shall sell such bonds for the acquisition and development of the fixed guideway system in accordance with the procedures prescribed by law for such sales. The proceeds from such sales shall be kept by the director of budget and fiscal services in a separate fund to be used only for the purposes for which the bonds are sold.

**Section 17-114. Transit Fund --**

There shall be established a special fund into which shall be transferred the county surcharge on state tax and all revenues generated by the authority, including interest earned on the deposits and all other receipts dedicated for the development of the fixed guideway system. All moneys collected from the county surcharge on state excise and use tax and received by the city shall be promptly deposited into the special fund. Expenditures from the special fund shall be for the operating costs of the authority and the capital costs of the fixed guideway system and for expenses in complying with the Americans with Disabilities Act of 1990 as it may be amended.

**Section 17-121. Transfer of Property For Fixed Guideway System Operation and Maintenance --**

As and when any segment of the fixed guideway system has completed its final testing and has been approved to commence revenue service, all real property and interests therein that are under the jurisdiction and control of the authority and that are necessary, used, or useful for the operation and maintenance of that segment, shall be transferred to the jurisdiction and control of the department of transportation services, whereupon the department of transportation services shall assume authority and responsibility therefor and all revenues derived therefrom.

**NEW TRANSITION PROVISIONS**

**Transition Provisions Concerning the Operation and Maintenance of the Fixed Guideway System –**

1. All positions with the public transit authority on December 31, 2016, whether vacant or filled, the primary responsibilities of which involve the operation and/or maintenance of the fixed guideway system, and all persons holding such positions on that date, whether in civil service, by exempt appointment, by contract, or by any other means, shall be transferred to the department of transportation services on January 1, 2017. Any affected civil service officers and employees shall suffer no loss of vacation allowance, sick leave, service credits, retirement benefits, or other rights and privileges because of the transfer. Nothing in this subsection, however, shall be construed as preventing future changes in status pursuant to the civil service provisions of this charter.

2. All lawful obligations and liabilities owed by or to the public transit authority relating to the operation and maintenance of the city's fixed guideway system on December 31, 2016, shall remain in

effect on January 1, 2017. The obligations and liabilities shall be assumed by the City through the department of transportation services.

3. Subject to Section 17-121, all records, property, and equipment of the public transportation authority that are necessary for the operation and maintenance of the fixed guideway system shall be transferred and delivered to the department of transportation services.

**REPEAL SECTION 16-115, TRANSITION PROVISIONS CONCERNING ESTABLISHMENT OF  
TRANSPORTATION COMMISSION.**

**Proposal 79. City and County of Honolulu, Office of the Managing Director**

Require BWS & HART contracts to be approved as to form and legality by COR.

**(BWS) Section 7-116. Legal Counsel –**

The corporation counsel of the city shall be the legal adviser of the department and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the department. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the department. Before execution, all written contracts to which the department is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the department.

The department may employ an attorney to act as its legal adviser and to represent the department in any litigation to which the department is a party. (*Reso. 83-357*)

**(HART) Section 17-112. Legal Counsel --**

The corporation counsel of the city shall be the legal adviser of the authority and shall institute and defend, as the board may require, any and all actions involving matters under the jurisdiction of the authority. The corporation counsel may, with the prior approval of the board, compromise, settle or dismiss any claim or litigation, for or against the authority. Before execution, all written contracts to which the authority is a party shall be approved by the corporation counsel as to form and legality.

The compensation for such legal work shall be as agreed upon by the board and the council and shall be paid from the revenues of the authority.

The authority may employ an attorney to act as its legal adviser and to represent the authority in any litigation to which the authority is a party. (*Reso. 09-252*)



## **Proposal 102. Ryan Akamine**

Establish a Youth Commission to advise the Mayor and City Council on issues important to young people. Young people are, by law, disenfranchised from participating in city elections. The City and County of San Francisco established a Youth Commission by charter in 1995, comprising 17 San Franciscans between the ages of 12 and 23. The SF YC also provides recommendations and feedback on all proposals that primarily affect youth. Each city councilmember and the mayor there appoints one commissioner, plus the mayor appoints another 5 from “underrepresented communities” to ensure that the YC truly represents the diversity of the City. Hawaii has the lowest voter participation rate in the country and by far the lowest youth voter participation rate. Involving youth in the City policymaking process would facilitate pro-youth policies and policies that would increase youth voter turnout. It would also promote leadership development for our next generation of Honolulu leaders.

## **Proposal 116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O'ahu and high demand by voters for more conservation of land.. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

### **Language agreed to (May 2016):**

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund --**

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one percent of the estimated real property tax revenues, one-half of which shall be deposited into the Clean Water and Natural Lands Fund and the remaining one-half of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in

order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. The department of budget and fiscal services shall receive proposals for the use of funds in the Clean Water and Natural Lands Fund and shall submit qualified proposals to an advisory commission, which shall make recommendations to the council for approval. All proposals for uses of the Clean Water and Natural Lands Fund shall be processed consistent with this procedure.

8. There shall be established a Clean Water and Natural Lands advisory commission to consider proposals submitted to it by the department of budget and fiscal services and to submit recommendations to the council for approval of expenditures under this section. The commission shall consist of seven members, with three appointed by the mayor, three appointed by the council, and one appointed by a majority vote of the six appointed members. The members shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2017, and shall be as follows:

(a) For an initial two-year term, two members, one each appointed by the mayor and the council.

(c) For an initial three-year term, two members, one each appointed by the mayor and the council.

(d) For an initial four-year term, two members, one each appointed by the mayor and the council.

(e) For a five-year term, the member appointed by the majority vote of the other six appointed members.

9. The director of the department of budget and fiscal services shall administer the fund.

10. The council shall by ordinance establish other procedures for the administration and expenditure of moneys in each fund consistent with this section. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section.

### **Proposal 153. Donna Ikeda**

Amend Article XI: Standards of Conduct. Section 11-102.1. (a) Conflicts of Interest

The current language uses the standard "it can reasonably be inferred that the gift is intended to influence...". This language is overly broad and when it is used in conjunction with the definition of a lobbyist, can and has been used by the Ethics Commission to determine that ANY gift from a lobbyist, regardless of its value, is a violation of law. I do not believe that prohibiting all gifts from lobbyists is the intent of Section 11-102. and so I propose that Section 11-102. 1 .(a) be amended to establish a clear standard of conduct.

#### **Article XI: Section 11-102.1 (a)**

1. No elected or appointed officer or employee shall:

Solicit or accept any gift, directly or indirectly, whether in the form of money, loan, gratuity, favor, service, thing or promise, or in any other form, under circumstances [in which it can reasonably be inferred that the gift is] which are intended to influence the officer or employee in the performance of such person's official duties and which benefit the elected or appointed officer or employee personally, affect the financial interests of their family, or involve individuals or organizations with which the elected or appointed officer or employee has some past, present or future connection away from their official duties.

## Proposal C-1 Kevin Mulligan

### Section 6-1603. Chief of Police —

1. The chief of police shall be appointed by the police commission for a term of five years. The chief shall serve at the pleasure of the police commission and shall not attain any property interest in the position of chief of police. The police commission may remove or suspend the chief of police at any time prior to the expiration of the five year appointment. The chief shall have had a minimum of five years of training and experience in law enforcement work, at least three years of which shall have been in a responsible administrative capacity. The chief shall not serve beyond the expiration of a term unless appointed again by the police commission. If desiring to do so, the police commission may appoint an incumbent chief to a new term without first engaging in an applicant solicitation and selection process.

2. Before the expiration of a term to which appointed, the chief may be removed or suspended by the police commission ~~[only for cause]~~ for any reason. Such reasons may include but are not limited to:

- a) The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
- b) The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
- c) The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
- d) The chief has acted in a manner for of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief's governing body.

As prerequisites to removal or suspension, the chief shall be given a written statement of the ~~[charge]~~ reasons for removal or suspension and an opportunity for a hearing before the police commission.

~~3. [Gross or continuous maladministration shall be a cause sufficient for removal of the chief. Before removing the chief for such cause, the commission shall give the chief written notice of and a reasonable period to cure the gross or continuous maladministration. If the gross or continuous maladministration is not cured to the commission's satisfaction within the period given, the commission may proceed to remove the chief in accordance with subsection 2.~~

~~This subsection shall not be construed as:~~

- ~~(a) Making gross or continuous maladministration the only cause sufficient for removal of a chief; or~~
- ~~(b) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.~~

~~(c) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.]~~

## Proposal C-2`Kevin Mulligan

### **Section 6-1606. Powers, Duties and Functions (of Police Commission)**

- Amending Section (d) by giving the Police Commission the power to subpoena and require the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law.<sup>1</sup> The Police Commission can make recommendations concerning allegations of officer misconduct to the Chief of Police and the Chief must respond to the Police Commission with his or her decision on the recommendation in writing. *Currently, the Chief is not required to respond to the Police Commission concerning their recommendations.*
- The Police Commission investigations should provide an objective analysis of complaints filed by citizens to ensure compliance with policy and procedure, best practices and the law.<sup>2</sup>

### **Section 6-1606. Powers, Duties and Functions --**

The police commission shall:

- (a) Adopt such rules as it may consider necessary for the conduct of its business and review rules and regulations for the administration of the department.
- (b) Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.
- (c) Submit an annual report to the mayor and the city council.
- (d) Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members.
- (e) The police commission may issue subpoenas and require the attendance of witnesses and the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law. [and]
- (f) Submit a written report of its findings to the chief of police. If the chief of police disagrees with the findings of the police commission, the chief shall submit the reasons in writing to the police commission. A summary of the charges filed and their disposition shall be included in the annual report of the commission.
- (g) Review and, if deemed necessary, make recommendations on the five-year plan and any update of goals and objectives for the police department which is submitted by the chief of police. The commission shall not have the power to approve, modify, or reject the plan or any update.
- (h) Compare at least annually the actual achievements of the police department against the goals and objectives in the five-year plan or latest update submitted by the chief.

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<sup>1</sup> City of Long Beach California City Charter – Citizen Police Complaint Commission

<sup>2</sup> Fresno Office of Independent Review  
Charter Commission Meeting June 27, 2016

(i) Evaluate at least annually the performance of duties by the chief of police.

Except for purposes of inquiry or as otherwise provided in this charter, neither the commission nor its members shall interfere in any way with the administrative affairs of the department.



**Proposal C-3 Guy K. Fujimura**

**Honolulu Zoo Fund**

**Section \_\_\_\_\_. Honolulu Zoo Fund –**

1. There shall be established a Honolulu Zoo Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half percent of the estimated real property tax revenues of which shall be deposited into the Honolulu Zoo Fund.

2. Moneys in the Honolulu Zoo Fund shall be used to provide the funds for the operation, repair, maintenance, and improvement of the Honolulu Zoo; the salaries of persons employed to work at the Honolulu Zoo, and related expenses; acquisition of zoo animals for the city, including shipping, insurance, travel, and other costs related to the purchase of animals for the Honolulu Zoo; and to pay for debt service owed for capital improvements at the Honolulu Zoo.

3. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

4. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purposes except those listed in this section.

5. The council shall by ordinance establish procedures for the administration and expenditure of moneys in the fund.

**Proposal C-5 Cheryl D. Soon**

(NEW)

**ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT**

**Section 6-1801. Organization --**

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

**Section 6-1802. Powers, Duties and Functions –**

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

**Section 6-1803. Public Consultation**

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

**Section 6-1804. Compliance with Environmental Laws**

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.



**NORTH SHORE NEIGHBORHOOD BOARD NO. 27**

C/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov/nco>

**TRAFFIC AND TRANSPORTATION COMMITTEE AGENDA**

**TUESDAY, JULY 5, 2016**

**North Shore Chamber of Commerce (Next to the Historic Haleiwa Gym)  
66-434 Kamehameha Highway, Haleiwa, HI 96712  
7:00 P.M.**

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**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under 3 minutes, and those giving reports are urged to keep their reports less than three (3) minutes. Please silence all electronic devices.

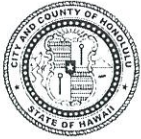
**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

- I. Review and approval of March 7, 2016 committee meeting minutes
- II. Continuing Business
  - a. Laniakea up date. Letter to Department of Transportation requesting status report on Laniakea Highway realignment project
  - b. Waimea rock fall mitigation
- III. New Business
  - a. Replacing Laniakea Bridge
  - b. Creating vehicular entrances/exits to all park land that the public parks on.
  - c. Discussions regarding traffic issues and possible solutions to tour buses parking on the on the North Shore.
  - d. Parking assessment of North Shore
  - e. Bike path around Waimea Bay
- IV. Announcements
- V. Adjournment

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov)"

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## NORTH SHORE NEIGHBORHOOD BOARD NO. 27

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### PARKS COMMITTEE MEETING AGENDA

TUESDAY, JULY 12, 2016

WAIALUA COMMUNITY ASSOCIATION

CLUB ROOM

66-434 KAMEHAMEHA HIGHWAY

HALEIWA, HAWAII

7:00 P.M. – 8:30 P.M.

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Rules of Speaking: Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under two (2) minutes, and those giving reports are urged to keep their reports less than three (3) minutes. Please silence all electronic devices.

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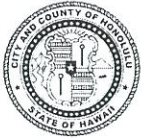
1. Introductions
2. Approval of the June 14, 2016 Committee meeting minutes.
3. Open for additional volunteers, who would also need to be approved by the North Shore Neighborhood Board No. 27. Consideration for recommendation to full NSNB of Pops Pawlowski
4. Parks Director Nekota meeting updates and planning for next meeting.
5.
  - a. Updates on current North Shore Parks Capital Improvement Projects
  - b. Progress on issues related to Haleiwa Beach Park Mauka and Haleiwa Beach Park Masterplan
  - c. Developing a list of all Parks related projects in the District
    - i. Currently in the City Budget
    - ii. That should be placed in the City Budget
6. 2016 North Shore Parks Site Visits
  - a. Overview of North Shore Trails Project
7. Discussion of potential alternative weed management in sensitive areas such as parks and along bike paths.
8. Acknowledgement of City Parks Staff and Community Organization that are stewarding North Shore parks.
9. Overview and introduction
  - a. Undeveloped" versus "Developed" City Parks as related to parking and public utilization of publicly owned land
  - b. Status of surf school activities at North Shore beaches and parks
10. Adjournment.
11. Next meeting: the next committee meeting will be on Tuesday, August 9, 2016 at 7:00 p.m. at the Waialua Community Association Building.



All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov)

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North Shore Neighborhood Board No. 27  
Agriculture Committee  
Wednesday, July 6, 2016  
6:30 p.m. – 8:00 p.m.  
North Shore Chamber of Commerce  
66-434 B Kamehameha Highway  
Haleiwa, HI 96712

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### AGENDA

1. Call to Order by Chair Leif Andersen
2. Review Rules of Speaking
3. Approval of June 8, 2016 Committee Minutes
4. Residents' Concerns (2 minutes each)
5. Lake Wilson Update: Site Visit to the Wahiawa Wastewater Treatment Plant, etc.
6. Adding Community Member Mike McNeece to Agriculture Committee
7. Legislative Agenda for 2017
8. Dole Food Lands Purchase
9. Work Group Work Session: Resolution Regarding Restricted Use Pesticides & Buffer Zones:  
Defer to August Due to Absence of Jeff Scott
10. Announcements
  - a. Next Meeting: Wednesday, August 3, 2016, 6:30 p.m. held at the North Shore Chamber of Commerce
  - b. Other
11. Adjournment

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## NORTH SHORE NEIGHBORHOOD BOARD NO. 27

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PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www1.honolulu.gov>

**REGULAR MEETING AGENDA  
TUESDAY, JUNE 28, 2016  
WAIALUA ELEMENTARY CAFETERIA  
67-020 WAIALUA BEACH ROAD  
7:00 P.M.**

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- I. CALL TO ORDER: Chair Kathleen M. Pahinui
  - A. Action to Declare Board Member Kanani Oury's Seat Vacant Due to Three (3) Absences in accordance with 2-14-105 of the Neighborhood Plan.
- II. DECLARATION OF ANY CONFLICTS BY BOARD MEMBERS: Board members to state if they hold any conflicts regarding any issue under board business, per Section 2-14-116 and Section 2-13-105 of the Neighborhood Plan that would require disclosure or recusal.
- III. CITY MONTHLY REPORTS (Limited to three (3) minutes each)
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
  - C. Ocean Safety
- IV. CITY MONTHLY REPORTS (Continued - Limited to three (3) minutes each)
  - A. Mayor Kirk Caldwell Representative
  - B. Board of Water Supply
  - C. Council Chair Ernie Martin
- V. APPROVAL OF MINUTES AND TREASURER'S REPORT:
  - A. January 26, 2016 Regular Meeting Minutes
  - B. February 23, 2016 Regular Meeting Minutes
  - C. March 22, 2016 Regular Meeting Minutes
  - D. May 24, 2016 Regular Meeting Minutes
  - E. Treasurer's Report
- VI. U.S. ARMY 8TH MILITARY POLICE BRIGADE and 25TH COMBAT AVIATION BRIGADE
- VII. RESIDENTS'/COMMUNITY CONCERNS: (Limited to two (2) minutes each)
- VIII. STATE ELECTED OFFICIALS: (Limited to three (3) minutes each)
  - A. Todd Nacapuy – Governor's Representative
  - B. State Senator Gil Riviere
  - C. State Representatives: Feki Pouha and Lauren Matsumoto
- IX. BOARD BUSINESS (Limited to maximum 10 Minute Presentation)
  - A. Parks Committee – Chair Blake McElheny
    - i. Removal of Frank Shamrock from the Parks Committee
    - ii. Adding Sean Quinlan to the Parks Committee

- iii. Support for recycling bins at City beach parks
- iv. Support for new lights and more staffing at Waialua District Park
- B. Transportation Committee – Carol Phillips
  - i. Support for letter to Attorney General response: Infrastructure issues specifically erosion at Laniakea Beach and Waimea Rockfall mitigation
- C. Agriculture Committee – Leif Andersen
  - i. Support for committee guidelines

X. BOARD MEMBER ATTENDANCE AT COMMUNITY MEETINGS / PUBLIC HEARINGS

- A. Council Chair Ernest Martin Talk Story, Wednesday, May 18, 2016: Pahinui, Shirai, Foo, Andersen
- B. Liquor Commission Hearing on Haleiwa Beach House, Thursday, June 2, 2016: B. Justice, Reid, McElheny

XI. COMMITTEE REPORTS

- A. Parks Committee – Chair Blake McElheny
- B. Transportation Committee – Chair Carol Phillips
- C. Agriculture Committee – Chair Leif Andersen
- D. Kaiaka Bay Watershed Committee – Chair Jacob Ng

XII. ANNOUNCEMENTS

- A. Chair's Correspondence
- B. Next Regularly Scheduled Meeting: Tuesday, July 26, 2016
- C. Board Member Announcements

XIII. ADJOURNMENT

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# BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843



June 21, 2016

KIRK CALDWELL, MAYOR

DUANE R. MIYASHIRO, Chair  
ADAM C. WONG, Vice Chair  
DAVID C. HULIHEE  
KAPUA SPROAT  
BRYAN P. ANDAYA

ROSS S. SASAMURA, Ex-Officio  
FORD N. FUCHIGAMI, Ex-Officio

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.  
Deputy Manager and Chief Engineer

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## NOTICE

The Regular Meeting of the Board of Water Supply, will convene on Monday, June 27, 2016, at 2:00 p.m. in the Board Room, Public Service Building, 630 South Beretania Street, Honolulu, Hawaii. The United States Environmental Protection Agency, Region IX Office in San Francisco, will be participating via Video Conferencing Bridge.

### SPEAKER REGISTRATION

The Board of Water Supply is committed to allowing public testimony at open meetings of the Board.

Please provide your name, phone number and subject matter of testimony when registering **prior to the day of the meeting** by one of the following options:

1. Emailing to [board@hbws.org](mailto:board@hbws.org);
2. Faxing to 748-5079;
3. Calling 748-5061;
4. In person – 630 S. Beretania Street, Room 311

Persons wishing to testify may also register by filling out the registration form **on-site on the day of the meeting**.

Persons who have not registered to testify will be given an opportunity to speak on an item following the oral testimonies of the registered speakers.

Testimony is limited to three minutes and shall be presented by the registered speaker only.

### WRITTEN TESTIMONY

Written testimony may be emailed to [board@hbws.org](mailto:board@hbws.org) or faxed to 748-5079, **prior to the day of the meeting**, for distribution at the meeting.

13 copies are requested if written testimony is submitted **on-site on the day of the meeting**.

If submitted, written testimonies, including the testifier's address, email address, and phone number may be posted on the Board of Water Supply website.

### PHYSICALLY CHALLENGED REQUESTS

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e. sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please contact 748-5061 or email your request to [board@hbws.org](mailto:board@hbws.org) **at least three business days prior to the meeting date**.

The agenda for the June 27, 2016 Regular Meeting of the Board of Water Supply is as follows:

#### ITEMS REQUIRING BOARD ACTION

1. Approval of the Minutes of the Public Hearing and Regular Meeting Held on May 23, 2016
2. Adoption of Resolution No. 865, 2016, to Honor and Commend James Kelekolio for His Exceptional Act of Heroism
3. Election of the Chair and Vice Chair of the Board of Water Supply Beginning July 1, 2016

#### ITEMS FOR INFORMATION

1. Update of the Red Hill Bulk Fuel Storage Facility Administrative Order on Consent by the United States Environmental Protection Agency Region IX Office (via Video Conferencing Bridge) and the Hawaii State Department of Health. (No Board Member will be physically attending from the video conferencing bridge site. In the event the connection is lost, the Meeting will continue.)
2. Water System Revenue Bonds – Compliance with Covenant Rate
3. Status Update of Groundwater Levels at All Index Stations
4. Water Main Repair Report for May 2016

#### EXECUTIVE SESSION

1. Approval of the Minutes of the Executive Session Meeting Held on April 25, 2016
2. To Consult with the Board's Attorney on Questions and Issues Pertaining to the Board of Water Supply's Proposed Settlement of Claim #15-016 Relating to Water Damage at the Aloha United Way, 200 N. Vineyard Boulevard, Due to a Water Main Break [HRS §92-5(a)(4)]
3. To Consult with the Board's Attorney on Questions and Issues Pertaining to the Status of Litigation in the Civil Action Entitled, Okada Trucking, Ltd. v. Board of Water Supply, City and County of Honolulu, Civil No. 14-1-2104-10 JHC, First Circuit Court, State of Hawaii [HRS §92-4 and §92-5(a)(4)]



**KAHALU'U NEIGHBORHOOD BOARD NO. 29**

*(He'eia Kea, 'Āhuimanu, Kahalu'u, Waihe'e, Ka'alaea, Waiāhole, Waikane, Hākipu'u, Kualoa)*

C/o Neighborhood Commission Office, Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813

PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

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"LET US NOT EVER HAVE AN UNHAPPY MINORITY; RATHER, LET US BUILD A COMMUNITY CONSENSUS."

**SPECIAL MEETING AGENDA**

**Monday, June 27, 2016**

**6:00 P.M.**

**KEY PROJECT, 47-200 Waihe'e Rd.**

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

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- I. CALL TO ORDER – Chair Flora Obayashi
- II. ROLL CALL OF BOARD MEMBERS, Establishment of Quorum
- III. APPOINTMENT OF RECORDING SECRETARY
- IV. DISCUSSION OF PRE-ASSESSMENT CONSULTATION FOR DRAFT ENVIRONMENTAL ASSESSMENT – Oahu Society for the Prevention of Cruelty to Animals (OSPCA)  
Tax Map Keys: 4-7-013; 010, 011, 016, and 024; at 47-630 Kamehameha Highway, Kahalu'u, Oahu  
  
Purpose: Provide EA input in proposed development of federal designated wetlands zoned AG-2 for a one-acre pond and wild bird sanctuary, walking paths, 1.8 acres public park and memorial garden.
- V. MOTION FOR ACTION
- VI. ADJOURNMENT

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CIVIL SERVICE COMMISSION  
CITY AND COUNTY OF HONOLULU

AGENDA OF MEETING #1880

June 28, 2016

1:30 p.m.

Human Resources Conf. Room  
10<sup>th</sup> Floor, Frank F. Fasi Municipal Bldg.

MINUTES: Approval of the minutes of the meeting held on May 24, 2016.

JAMES BAGINSKI: 1. Appeal of James Baginski against his non-selection as a Design and Construction Branch Engineer, Division of Wastewater Treatment and Disposal with the Department of Environmental Services.

ACTION:

JOSHUA MOROCCO-AMORIN: 2. Appeal of Joshua Morocco-Amorin against his termination on probationary appointment as a Metropolitan Police Recruit with the Honolulu Police Department.

ACTION:

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## NEIGHBORHOOD COMMISSION

HONOLULU HALE • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813 U.S.A.  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • E-MAIL: [nco@honolulu.gov](mailto:nco@honolulu.gov)  
INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

Monday, June 27, 2016

7:00 p.m.

Mission Memorial Building Hearings Room  
Ground Floor  
550 South King Street

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are to keep their comments under three (3) minutes. Please silence all electronic devices.

**Note:** The Commission may take action on any agenda item. As required by the State Sunshine Law (Hawaii Revised Statutes Chapter 92), specific issues not noted on this agenda cannot be voted on, unless properly added to the agenda.

- I. Call to Order by Presiding Officer
  - A. Roll Call of Commissioners, Establishment of Quorum
- II. Report of any Neighborhood Commission business considered by the Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board No. 14
- III. Approval of Minutes
  - A. Regular Meeting Minutes – April 25, 2016
- IV. Public Concerns (limited to three (3) minutes each)
- V. Executive Secretary's Report
  - A. Staff update
  - B. Office move to Kapalama Hale update
  - C. Update on Council appointments to the Neighborhood Commission
  - D. Honolulu Charter Commission update
  - E. NCO Budget
- VI. Committee Reports
  - A. Elections Committee – Chair Richard Oshiro  
Members: Joby North III, Claire Tamamoto, and Russell Yamanoha (ex-officio)
  - B. Neighborhood Plan Committee – Chair Bob Finley  
Members: Bob Stubbs, Richard Oshiro, and Sylvia Young
  - C. Survey Committee – Chair Loryn Guiffre  
Members: Tyler Dos Santos-Tam, Joby North III, and Russell Yamanoha (ex-officio)
- VII. Commission Business
  - A. Recommendations from the Neighborhood Plan Committee of proposed amendments to be sent out for public hearing.
    - 1) 2-11-203 – Allows a board to assign a third member to attend the conference of chairs if one of the three also is a Neighborhood Commissioner.
    - 2) 2-11-308 – Deletes sections on quorum and majority voting that conflict with HRS.
    - 3) 2-11-319 – Replaces RONR with parliamentary rules adopted by the Commission.
    - 4) 2-13-105 – Currently the Plan says a member shall not have a financial conflict. This would amend it to make it clear if one exists they must recuse.
    - 5) 2-13-107 – Requires board members to publicly post one type of contact information.

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- 6) 2-14-104 – Requires a nomination in order for a qualified resident to be considered for appointment to a vacancy. Clarifies when the verification of a possible nominee for a vacant seat must occur. Allows the Commission to fill a vacant seat if it interferes with the board taking action in three successive meetings. Requires a roll call vote for filling a vacancy with each member stating the name of the nominee they cast their vote for.
  - 7) 2-14-106 – Clarifies action to declare a seat vacant must occur in the same term as which the absences occurred. Clarifies that three absences accumulates from the start of the term or the date of appointment. Prohibits sending a three absence letter at the end of the term. Clarifies what the board must do for it to have considered the vacating a seat. Makes a resignation effective when received by the Executive Secretary.
  - 8) 2-14-111 – Requires committee agendas to be filed 7 days prior to the meeting.
  - 9) 2-14-115 Requires roll call votes for election of officers or filling of vacancies.
  - 10) 2-14-118 – Specifies that abusive language constitutes a breach of order and decorum. Requires public testimony be allowed at the time the board considers an agenda item.
  - 11) 2-14-124 – Deletes section which conflicts with HRS that defines majority vote. Makes the board chair a non-voting ex-officio member of all board committees.
  - 12) 2-17-202 – Defines active voter for purposes of pre-registration.
  - 13) 2-17-203 – Deletes the provision for someone being able to change their board residency after the voter registration deadline.
  - 14) 2-17-204 – Makes a candidate who fails to indicate at-large or subdistrict on their registration form to automatically be listed as a subdistrict candidate.
  - 15) 2-18-101 – Makes committee members subject to sanctions.
- B. Additional Proposed Neighborhood Plan Amendment:
- 1) §2-14-102 Board term. (a) The term of office for the members of the boards shall be for a period of two years, from [July 1 of an odd numbered year to June 30 of the next successive odd numbered year] February 1 of an even numbered year to January 31 of the next successive even numbered year.  
(b) All board members shall serve non-staggered terms of office, and all board seats shall be up for election at the same time in odd numbered years.  
(c) The Neighborhood Commission may extend the term of all Neighborhood Board members by one two-year term or by any shorter period.
- C. Report on Evaluation of Neighborhood Board Visitations
- D. Request from Downtown Neighborhood Board to change name to the Downtown-Chinatown Neighborhood Board
- E. Authorization for the 2017 Neighborhood Board elections candidate registration and voting to utilize a digital method (NP Section 2-17-101(b)).
- F. Appointment of Chief Elections Officer (NP Section 2-17-102).

#### VIII. Announcements

- A. The Neighborhood Commission's next meeting is scheduled for **Monday, July 25, 2016 at 7:00 p.m.** at the Mission Memorial Ground Floor Hearings Room, 550 South King Street.

#### IX. Adjournment

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A mailing list is maintained for interested persons and agencies to receive Neighborhood Commission agendas and minutes. Additions, deletions, and corrections to the list may be directed to the Neighborhood Commission Office, Honolulu Hale, 530 South King Street, Room 406, Honolulu, HI 96813; Telephone: (808) 768-3710;

Fax: (808) 768-3711; E-mail: [nco@honolulu.gov](mailto:nco@honolulu.gov). Agendas and minutes are also available on the Internet at <http://www.honolulu.gov/nco>.

Persons wishing to attend any meeting with questions about accommodations for a physical disability or special need should call the Neighborhood Commission Office at (808) 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.



**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

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C & C OF HONOLULU

2016 JUN 20 AM 10:08

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 20, 2016  
Honolulu, Hawaii

Page 1 of 2

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 28, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: GARY KUBOTA, 808-768-7943.

| TAXPAYER                                  | TAX MAP KEY  | APPEAL NO. | YEAR |
|-------------------------------------------|--------------|------------|------|
| 1 J H SCHNACK ESTATE INC                  | 210030050000 | 110353     | 2016 |
| 2 BIRNBAUM,STEVEN M                       | 210100460100 | 112065     | 2016 |
| 3 BIRNBAUM,STEVEN M                       | 210100460101 | 112074     | 2016 |
| 4 BARBEE-WOOTEN,DAPHNE E                  | 210100460167 | 110196     | 2016 |
| 5 BARBEE-WOOTEN,DAPHNE E                  | 210100460168 | 110197     | 2016 |
| 6 LI,JISHENG ATTY A LAW CORP              | 210100460341 | 109667     | 2016 |
| 7 LOTENSCHTEIN,EDWARD D TR                | 210100460351 | 110010     | 2016 |
| 8 SOBOBA SPRINGS ROYAL VISTA GOLF COURSE  | 210480020000 | 111169     | 2016 |
| 9 WATERHOUSE INC                          | 210480050000 | 111159     | 2016 |
| 10 WATERHOUSE PROPERTIES INC              | 210480060000 | 111149     | 2016 |
| 11 SOBOBA SPRINGS ROYAL VISTA GOLF COURSE | 210480070000 | 111164     | 2016 |
| 12 SUN,I-TING TR                          | 230040390000 | 111866     | 2016 |
| 13 KAPIOLANI PROPERTIES CORP              | 230410130000 | 110818     | 2016 |
| 14 KO OLINA DEVELOPMENT LLC               | 910560060000 | 110299     | 2016 |
| 15 KO OLINA DEVELOPMENT LLC               | 910560280000 | 110300     | 2016 |
| 16 KO OLINA MARINA LLC                    | 910570190270 | 110412     | 2016 |
| 17 KO OLINA MARINA LLC                    | 910570190271 | 112761     | 2016 |
| 18 KO OLINA MARINA LLC                    | 910570190272 | 110409     | 2016 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

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|    | <b>TAXPAYER</b>          | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|----|--------------------------|--------------------|-------------------|-------------|
| 19 | KO OLINA DEVELOPMENT LLC | 910570210000       | 110297            | 2016        |
| 20 | KO OLINA COMMERCIAL LLC  | 910570220000       | 110298            | 2016        |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU



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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU

2016 JUN 20 AM 10:08

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Honolulu, Hawaii

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| TAXPAYER                         | TAX MAP KEY  | APPEAL NO. | YEAR |
|----------------------------------|--------------|------------|------|
| 1 ELMWOOD PACIFIC MANAGEMENT LLC | 310340040000 | 96400      | 2014 |
| 2 NYLEN,RAYMOND H TR             | 310340290000 | 96671      | 2014 |
| 3 PALI WORLDWIDE TRAVEL LLC      | 310440320000 | 96683      | 2014 |
| 4 PALI WORLDWIDE TRAVEL LLC      | 310440320000 | 103914     | 2015 |
| 5 WONG,KENNETH K P               | 320620010000 | 83104      | 2012 |
| 6 WONG,KENNETH K P               | 320620010000 | 96677      | 2014 |
| 7 WONG,KENNETH K P               | 320620010000 | 105101     | 2015 |
| 8 SCHUMACKER,ALEXANDER R         | 320620090000 | 104018     | 2015 |
| 9 H & RZ INC                     | 330350230000 | 103486     | 2015 |
| 10 ESTATES OF KAHALA LLC         | 350020390000 | 103872     | 2015 |
| 11 PANG,HOCK WON TR              | 350040500000 | 103578     | 2015 |
| 12 CHANG,MAIGEE DYNASTY TR       | 350050510000 | 104476     | 2015 |
| 13 CUTTER,FAMILY TR              | 350130140000 | 105377     | 2015 |
| 14 MCCORMICK,TIMOTHY J           | 350130190000 | 96193      | 2014 |
| 15 LEE,KEITH A K M               | 350140020000 | 96938      | 2014 |
| 16 MCGOWAN,MARY V TR             | 350290050000 | 104509     | 2015 |
| 17 KENT,THOMAS R TR              | 350290240000 | 96205      | 2014 |
| 18 KENT,THOMAS R TR              | 350290240000 | 104743     | 2015 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
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|    | <b>TAXPAYER</b>        | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|----|------------------------|--------------------|-------------------|-------------|
| 19 | KIM,DEAN S K TR        | 350330080000       | 97126             | 2014        |
| 20 | SHUTO,HIROKI           | 350330560000       | 104243            | 2015        |
| 21 | FARRAR,MATTHEW TR      | 350340130000       | 97055             | 2014        |
| 22 | YAU,GLORIA V           | 350340590000       | 103735            | 2015        |
| 23 | GRIMES,HARVEY J        | 350730840000       | 103284            | 2015        |
| 24 | GALLAGHER,MICHAEL J    | 370020080000       | 111486            | 2016        |
| 25 | KING,DENNIS C TR       | 380140110000       | 110831            | 2016        |
| 26 | LIPPMAN,CHERYL K TR    | 390030040000       | 104105            | 2015        |
| 27 | CHEE,STACY R           | 390030200000       | 96535             | 2014        |
| 28 | WHITE-TAYLOR,FAMILY TR | 390260260000       | 96875             | 2014        |
| 29 | WHITE-TAYLOR,FAMILY TR | 390260260000       | 103289            | 2015        |
| 30 | WHITE-TAYLOR,FAMILY TR | 390260260000       | 111710            | 2016        |
| 31 | KIRK,PETER C           | 390310960000       | 103493            | 2015        |
| 32 | KIRK,PETER C           | 390310960000       | 109801            | 2016        |
| 33 | FRIEL,CORNWELL T       | 390890810000       | 104399            | 2015        |
| 34 | CHANG,FAMILY TRUST     | 410010120000       | 105289            | 2015        |
| 35 | STEINER,ERNEST TR EST  | 410020180000       | 104095            | 2015        |
| 36 | KELLEY,YVETTE J        | 420271090000       | 103894            | 2015        |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 20, 2016  
Honolulu, Hawaii

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| TAXPAYER                                   | TAX MAP KEY  | APPEAL NO. | YEAR |
|--------------------------------------------|--------------|------------|------|
| 37 MEDEIROS, GLORIA T TR                   | 420580670000 | 104671     | 2015 |
| 38 KATZ, HANAN                             | 420750100000 | 103404     | 2015 |
| 39 ANDERSON, DE SAIX                       | 421010160038 | 104034     | 2015 |
| 40 PAYNE, HOLLY M                          | 421010160040 | 103871     | 2015 |
| 41 REMICK, RICHARD L TR                    | 430040030001 | 104489     | 2015 |
| 42 MCSHANE, MARSUE M TR                    | 430050540000 | 109789     | 2016 |
| 43 WEDEMAN, HARRIET M QUALIFIED PER RES TR | 430060620000 | 104125     | 2015 |
| 44 HEU, MOANA C TRUST                      | 430070090000 | 103838     | 2015 |
| 45 SUTHERLAND, RICHARD C TRS               | 430150310000 | 104096     | 2015 |
| 46 WALKER, MELINDA L P TR                  | 430160080000 | 104573     | 2015 |
| 47 WALKER, MELINDA L P TR                  | 430160220000 | 104574     | 2015 |
| 48 MEINKEN, KENNETH C III                  | 430170710000 | 97500      | 2014 |
| 49 MEINKEN, KENNETH C III                  | 430170710000 | 110449     | 2016 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARINGKIRK CALDWELL  
MayorMike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3Date: June 17, 2016  
Honolulu, Hawaii

Page 1 of 2

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| TAXPAYER                    | TAX MAP KEY  | APPEAL NO. | YEAR |
|-----------------------------|--------------|------------|------|
| 1 SPENCER STREET, LLC       | 240160200000 | 110835     | 2016 |
| 2 ABW 2181 HOLDINGS LLC     | 260030010003 | 104651     | 2015 |
| 3 ABW 2181 HOLDINGS LLC     | 260030010003 | 110291     | 2016 |
| 4 HRC ISLANDER LLC          | 260030010138 | 110166     | 2016 |
| 5 WBW CHP LLC               | 260030010138 | 104655     | 2015 |
| 6 EBW HOTEL LLC             | 260030600002 | 104710     | 2015 |
| 7 EBW HOTEL LLC             | 260030600002 | 104714     | 2015 |
| 8 WBW CPR LLC               | 260030600003 | 110167     | 2016 |
| 9 WBW CPR LLC               | 260030600003 | 104659     | 2015 |
| 10 MALU INVESTMENTS II, LLC | 260130170000 | 110371     | 2016 |
| 11 OKADA TRUCKING CO, LTD   | 260240340000 | 111875     | 2016 |
| 12 OKADA TRUCKING CO, LTD   | 260240350000 | 111877     | 2016 |
| 13 OKADA TRUCKING CO, LTD   | 260240360000 | 111876     | 2016 |
| 14 OKADA TRUCKING CO, LTD   | 260240370000 | 111987     | 2016 |
| 15 OKADA TRUCKING CO, LTD   | 260240380000 | 111988     | 2016 |
| 16 OKADA TRUCKING CO, LTD   | 260240390000 | 111983     | 2016 |
| 17 OKADA TRUCKING CO, LTD   | 260240400000 | 111868     | 2016 |
| 18 OKADA TRUCKING CO, LTD   | 260240420000 | 111984     | 2016 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
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KIRK CALDWELL  
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Mike Ellis, Chair, Board 1  
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Date: June 17, 2016  
Honolulu, Hawaii

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| <b>TAXPAYER</b>                | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|--------------------------------|--------------------|-------------------|-------------|
| 19 OKADA TRUCKING CO, LTD      | 260240440000       | 111880            | 2016        |
| 20 OKADA TRUCKING CO, LTD      | 260240450000       | 111977            | 2016        |
| 21 OKADA TRUCKING CO, LTD      | 260240650000       | 111981            | 2016        |
| 22 OKADA TRUCKING CO, LTD      | 260240660000       | 111993            | 2016        |
| 23 OKADA TRUCKING CO, LTD      | 260240670000       | 111878            | 2016        |
| 24 OKADA TRUCKING CO, LTD      | 260240680000       | 111974            | 2016        |
| 25 OKADA TRUCKING CO, LTD      | 260240800000       | 111989            | 2016        |
| 26 OKADA TRUCKING CO, LTD      | 260240810000       | 111979            | 2016        |
| 27 OKADA TRUCKING CO, LTD      | 260240820000       | 111965            | 2016        |
| 28 OKADA TRUCKING CO, LTD      | 260240830000       | 111970            | 2016        |
| 29 WAI NANI WAY PARTNERS LLC   | 260280440000       | 110123            | 2016        |
| 30 BENEDICTO-DUGGER, YUMI F TR | 280250360000       | 112839            | 2016        |

An election for Chair and Vice-Chair will be held at the conclusion of the agenda.

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU



2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: cclcharter@honolulu.gov

Web Site:  
honoluluchartercommission.org

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2016 JUN 17 PM 4:03



#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

THURSDAY, JUNE 23, 2016  
3:30 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

#### AGENDA

#### I. CALL TO ORDER

Roll Call

#### II. PERMITTED INTERACTION GROUP REPORT

Report on the Findings and Recommendations by the Permitted Interaction Group established to review proposals relating to Oversight and Powers over Specific Functions pursuant to Hawaii Revised Statutes §92-2.5(b). See Attachment 1.

Copies of the Report will be available at the meeting.

#### III. PERMITTED INTERACTION GROUP REPORT

Report on the Findings and Recommendations by the Permitted Interaction Group established to review the request by Mayor Kirk Caldwell sent on April 17, 2016, relating to the Grant in Aid Fund pursuant to Hawaii Revised Statutes §92-2.5(b). See Attachment 2.

Copies of the Report will be available at the meeting.

#### IV. DISCUSSION AND ACTION

Deliberation and decision-making on:

- Proposal 23 to conform the county public records law to state requirements to ensure greater access to public records;
- Proposal 34 to require the publication of a new and updated edition of the Charter at least every 10 years by July 1 of the year following the general election and ending in “6”;
- Proposal 35 to repeal the requirement that no more than a majority of members of the Reapportionment Commission can be members of the same political party;
- Proposal 43 to require that the Salary Commission recommendations go into effect within sixty days if they have a three quarters majority vote;
- Proposal 77 to add planning, engineering, design, construction, and installation to the Departments of Design and Construction, Enterprise Services, Environmental Services, Facility Maintenance, Transportation Services, Information Technology and Parks and Recreation;
- Proposal 79 to require contracts for the Board of Water Supply and the Honolulu Authority for Rapid Transit to be approved for form and legality by the Corporation Counsel;
- Proposal 87 to increase the number of members on the Fire Commission from five to seven;
- Proposal 89 to change the Neighborhood Commission title of “Executive Secretary” to “Executive Director”;
- Proposal 90 to:
  - Align Central Purchasing with the State Procurement Code; and
  - Remove the requirement for an appointed standardization committee;
- Proposal 91 to correct the earlier reorganization of the Department of Emergency Management by replacing references to “civil defense” with “emergency management”.

The Commission anticipates convening an Executive Session closed to the public pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult with its attorneys on questions and issues relating to their legal analysis and recommendations for the Charter proposals identified and described in this agenda item.

## V. DISCUSSION AND ACTION

Discussion and action on the City agency review and legal review of Proposals 48, 73, 86, and 104, tentatively approved by the Charter Commission on April 29, 2016. See Attachment 3.



The Commission anticipates convening an Executive Session closed to the public pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult with its attorneys on questions and issues relating to their legal analysis and recommendations for the Charter proposals identified and described in Attachment 3.

## VI. ANNOUNCEMENTS

Next meeting date.

## VII. ADJOURNMENT

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- a. By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testifiers.

Each testifier shall not have anyone else read the testifier's statement. Each testifier is limited to three minutes per agenda item.

### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

### OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

## **ATTACHMENT 1**

Charter Commission Meeting June 23, 2016

### **#4. Anonymous**

Purpose of Amendment: The Corporation Counsel is the chief legal adviser and legal representative of all agencies, including the City Council. However, the City Council, as the legislative branch, only has the power to approve the Corporation Counsel - it does not have the power to dismiss. In extreme circumstances where the City Council believes the Corporation Counsel is not acting in the City Council's interest or is it not otherwise fulfilling its duties, it should have the ability to remove that person.

"There shall be a department of the corporation counsel headed by a corporation counsel who shall be appointed by the mayor, with the approval of the council, and who may be removed by the mayor or by two-thirds vote of the council's entire membership."

## **#6. Darlene Yoshioka**

Apparently, the City Council does not have much jurisdiction on the Board of Water Supply and what direction they need to take to be efficient.

I would like to recommend that the City Council have more jurisdiction/oversight over the Board of Water Supply, which is a public utility. The purpose of this amendment is to save the taxpayers some money. Taxpayer money is being wasted! If the City Council has more oversight on the Board of Water Supply, instead of only "Reacting" to water main breaks, the city could be more "Proactive" in repairing old water lines, before a break, so that the streets that have just been paved don't have to be torn up to repair the break. There should be some organization, so that after the water pipes are repaired BEFORE the city can repave that road. For example, in Kaimuki, right after the roads were paved, there were three water main breaks and the road had to be redone. It would relieve a lot of problems to be proactive. In Kailua, there have been 2 water main breaks on Kainui Drive, but instead of replacing the whole line, they only make a quick fix. One only knows when the water main will break again.

**#20. Donna Ikeda**

Provide Council oversight of the Board of Water Supply by the City Council and requiring that the department and its board be subject to Article XI of the charter, relating to standards of conduct

**#29. Ikeda**

Amend the Charter to provide budget autonomy for the Prosecuting Attorney's office. At the current time, the Mayor had the power to restrict funds from the budget of the Prosecuting Attorney after it has been approved and passed by the City Council. Like the Mayor, the Prosecuting Attorney is elected by the people. As such, he/she should be given the right to administer his/her office without interference. The State Judiciary is given budget autonomy and I think that is should also apply to the Prosecutor on the County level.

**#78. City and County of Honolulu, Office of the Managing Director**

The proposed Charter amendment allows the Mayor, with the approval of City Council to create a fund.

**Section 9-202. Creation of Funds –**

In addition to the funds established by this charter, [the council, on its own initiative or on the recommendation of] the mayor, with the approval of the council, may establish other funds when [the council deems it] necessary and when no appropriate class of funds exists.

(Reso. 12-113)



**#88. City and County of Honolulu, Office of the Managing Director**

Propose Charter amendment to clarify that the board may rely on sources of revenue in addition to rates in order to be self-sustaining such as but not limited to land development, property redevelopment to generate additional revenues to meet its revenue requirements. In its current form, the Charter is unclear as to whether the board must set rates at a level that would meet all of its revenue requirements, without allowing for any offset from revenue derived from other sources or activities.

**Section 7-109. Rates, Revenues and Appropriations --**

The board shall have the power to fix and adjust reasonable rates and charges for the furnishing of water and for water services, and enter into other agreements to generate additional revenues so that the revenues derived therefrom shall be sufficient to make the department self-supporting. Such revenues shall be sufficient to meet all necessary expenditures, including expenditures for

- (a) operating and maintenance expenses;
- (b) repairs, replacements, additions and extensions;
- (c) accident reserve, pension charges and compensation insurance;
- (d) payment of principal and interest on all bonds, including reserves therefor, issued for the acquisition or construction of waterworks and extensions thereto, and reserve funds under Section 7-112 of this Charter. All water furnished to the city or any department thereof shall be charged to the respective departments and collected at the regular rates established by the board. There shall be no free water, except as authorized by the state. The board may make appropriations for the purposes stated in this section of the Charter. (Reso. 70 and 253 (1974))

ATTACHMENT 2  
OFFICE OF THE MAYOR  
CITY AND COUNTY OF HONOLULU

530 SOUTH KING STREET, ROOM 300 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-4141 • FAX: (808) 768-4242 • INTERNET [www.honolulu.gov](http://www.honolulu.gov)



KIRK CALDWELL  
MAYOR

ROY K. AMEMIYA, JR.  
MANAGING DIRECTOR  
  
GEORGETTE T. DEEMER  
DEPUTY MANAGING DIRECTOR

April 27, 2016

The Honorable David W. Rae, Chair  
and Members of the 2015-2016 City Charter Commission  
Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Dear Chair Rae and Members:

SUBJECT: Charter Proposal – Grants in Aid (GIA) Fund Amendment

I humbly ask your consideration of an amendment to the Revised Charter of the City and County of Honolulu (RCH) Section 9-205(2) on the Grants in Aid Fund. The amendment will restrict Grants in Aid Funding to one half of one percent of the estimated general fund revenues. This amendment will provide the City and County of Honolulu with greater clarity on the annual amount of the appropriation to the Grants in Aid Fund.

Proposed Amendment:

Section 9-205. Grants in Aid Fund –

2. In adopting each fiscal year's budget and capital program, the council shall appropriate [a minimum of] one-half of one percent of the estimated general fund revenues which shall be deposited into the Grants in Aid Fund.

Your favorable actions on this Charter Commission proposal will be appreciated. Should you have any questions, please contact Roy K. Amemiya, Jr., Managing Director, at 768-6634.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirk Caldwell", is written over a horizontal line.

Kirk Caldwell  
Mayor

**ATTACHMENT 3**  
**Charter Commission Meeting June 23, 2016**

**Proposal 48**

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

Article II, Section 2-102 Purposes

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

AMENDED 4/29/16 – unanimous vote:

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and practicing stewardship of natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

## Proposal 73

From Style Committee:

### **Section 6-107. Office of Climate Change and Sustainability –**

There shall be an office of climate change and sustainability headed by an executive for climate change and sustainability who shall be appointed and may be removed by the mayor. The executive for climate change and sustainability shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
  - (b) Coordinate actions and policies of departments within the city to:
    - (1) Increase community preparedness.
    - (2) Protect economic activity.
    - (3) Protect the coastal areas and beaches.
    - (4) Develop resilient infrastructure in response to the effects from climate changes.
  - (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
  - (d) Integrate sustainable and environmental values into city plans, programs and policies.
  - (e) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
  - (f) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.
  - (g) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai'i, which Commission shall meet no less than twice annually for the purpose of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate to the executive for climate change and sustainability, the mayor, council and executive departments of the city.
-

## Proposal 86

From Style Committee

### **Amendment (including from Fire Chief, HFFA, & Tsujimura):**

Section 6-1004 Powers, Duties and Functions --

The fire chief shall:

- (a) Provide for a safer community through fire prevention and preparedness; and effective emergency response.
  - (b) Perform fire fighting and [rescue] emergency response work [in order] to save lives, property and the environment from fires.
  - (c) Respond to [emergencies arising on hazardous terrain and on the sea and] hazardous materials incidents.
  - (d) Provide emergency medical care.
  - (e) Train, equip, maintain and [supervise a force of] manage fire fighting and [rescue] emergency response personnel.
  - (f) [Monitor the construction and occupancy standards of buildings] Review construction plans and inspect buildings, occupancies and premises for the purposes of fire prevention.
  - (g) Investigate the origin, cause and circumstances of fires and explosions.
  - (h) Provide educational programs related to fire prevention.
  - (i) Appoint the deputy fire chief and the private secretaries to the fire chief and the deputy fire chief.
  - (j) Perform such other duties as may be required by law.
-

## **Proposal 104**

Men seem to have the upper hand when it comes to service on boards and commissions. I propose that there be a charter amendment which provides equal representation on all appointed boards and commissions of men and women. The provisions which state the number of members will have to be amended to provide that on even member boards, there shall be an equal representation of men and women, and on odd member boards there shall be a deviation of no more than one.

I was disturbed when one of the most important commissions for the county, the Reapportionment Commission, was composed of eight men and one woman. The Charter Commission, which will be changing the face of our Honolulu home, has ten men and three women.

In addition, as all elections in the City and County are non-partisan, all references to party membership in the Charter should be deleted. They are a vestige of another time.

ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

715 SOUTH KING STREET, SUITE 211, HONOLULU, HAWAII 96813-3091  
Phone: (808) 768-7786 · Fax: (808) 768-7768 · EMAIL: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)  
Internet: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics)

KIRK CALDWELL  
MAYOR



AGENDA  
Honolulu Ethics Commission  
**June 23, 2016 – 11:00 a.m.**  
Standard Financial Plaza  
Conference Room, Suite 211  
715 South King Street  
Honolulu, Hawaii 96813

RECEIVED  
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C & C OF HONOLULU  
2016 JUN 17 PM 3:48

**THE PUBLIC IS ENCOURAGED TO SUBMIT WRITTEN TESTIMONY AND/OR  
SPEAK ON ANY AGENDA ITEM BELOW.**

**SPEAKER REGISTRATION**

- Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number and agenda subject matter via email at [ethics@honolulu.gov](mailto:ethics@honolulu.gov); or calling 768-7787 or 768-7791.
- On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following the oral testimonies of the registered speakers.
- Each speaker is limited to three minute presentations on each item.

**WRITTEN TESTIMONY**

- Prior to the Day of the Meeting: Testimony may be emailed to [ethics@honolulu.gov](mailto:ethics@honolulu.gov) or faxed to 768-7768.
- On the Day of the Meeting: 10 copies are requested if written testimony is submitted on-site.

**ORDER OF BUSINESS**

I. CALL TO ORDER



## II. OPEN SESSION

### A. **Hiring for the Full Time Positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator, Including Formation of a Permitted Interaction Group to Investigate Such Hiring.**

The Commission anticipates convening an executive session, pursuant to Hawaii Revised Statutes, Section 92-5(a) (2) and (4), to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities related to hiring for the full time positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator and for the formation of a permitted interaction group to investigate hiring for the positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator.

### B. **Hiring for the Temporary Filling of the Positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator, Including Formation of a Permitted Interaction Group to Investigate Such Hiring.**

The Commission anticipates convening an executive session, pursuant to Hawaii Revised Statutes, Section 92-5(a) (2) and (4), to consult with the Commission's attorneys on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities related to temporarily filling the positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator and for the formation of a permitted interaction group to investigate hiring for the positions of Executive Director and Legal Counsel, Associate Legal Counsel and Investigator.

## III. ADJOURNMENT

LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU  
PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 600  
HONOLULU, HAWAII 96813

RECEIVED  
CITY CLERK  
C & C OF HONOLULU

2016 JUN 17 PM 3:48

AGENDA – FORTY-EIGHTH MEETING

THURSDAY, JUNE 23, 2016  
4:00 P.M.

APPROVAL OF MINUTES:

The regular and executive session minutes of the 34<sup>th</sup> (3/17/16), 38<sup>th</sup> (4/14/16), and 39<sup>th</sup> (4/21/16) meetings, as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

- |                                                                                                                                                 |                                                                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 1. Appl. No. 16-3659 from<br>Jamu, Inc., dba Growler<br>USA, 449 Kapahulu Avenue                                                                | For a Dispenser General license<br>(Category No. 3 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>1/28/16)  |
|                                                                                                                                                 | (Continued from March 24, 2016;<br>public hearing kept open)                                                                            |
| 2. Appl. No. 16-4742 from<br>TM-IMP Restaurant LLC,<br>dba STRIPSteak,<br>2330 Kalakaua Avenue,<br>Store No. 330 (International<br>Marketplace) | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/28/16) |

## PUBLIC HEARINGS: (CONT.)

- |                                                                                                                                              |                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 3. Appl. No. 16-5052 from<br>Dos Kalbos Enterprises<br>LLC, dba Suzie Wong's<br>Hideaway, 1913 Dudoit<br>Lane                                | For a Dispenser General license<br>(Category No. 1 – Standard Bar)<br>(Prelim. Hrg. 4/28/16)                                            |
| 4. Appl. No. 16-5055 from<br>Kei Holdings LLC, dba<br>Izakaya Kei,<br>98-199 Kamehameha<br>Highway, B10, Aiea<br>(Pearl Kai Shopping Center) | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/28/16) |

## LICENSE APPLICATIONS:

### Special License Applications:

- |                                                                                                                            |                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. Hawaii Fun Tours.Com,<br>Inc., dba Hawaii Fun<br>Tours.Com, Inc.,<br>3280 Round Top Drive<br>(Pu'u 'Ualakaa State Park) | For a Special General license,<br>from 5:30 p.m. to 9 p.m., on the<br>following dates:<br><br>1) June 24, 2016, Friday;<br>2) June 26, 2016; Sunday; and<br>3) June 29, 2016; Wednesday |
| 6. Free Spirits LLC, dba Free<br>Spirits LLC, 685 Auahi<br>Street                                                          | For a Special General license,<br>from 6 p.m. to 12 midnight, on the<br>following Saturdays:<br><br>1) July 16, 2016;<br>2) August 20, 2016; and<br>3) September 17, 2016               |

PRELIMINARY HEARINGS:

- |                                                                                                                                                                                                            |                                                                              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| 7. Appl. No. 16-5565 from<br>La Tour AH LLC, dba<br>La Tour Café, 820 West<br>Hind Drive, Suite 1291                                                                                                       | For a Restaurant Beer and Wine<br>license (Category No. 1 – Standard<br>Bar) |
| 8. Appl. No. 16-6397 from<br>Chibo International Corp.,<br>dba Okonomiyaki Chibo<br>Restaurant, Restaurant<br>General license (Category<br>No. 2 - Live entertainment<br>or Recorded Music and<br>Dancing) | For a change of location from<br>2201 Kalakaua Avenue to<br>280 Beach Walk   |

LICENSE APPLICATIONS: (CONT.)

Temporary License Application:

- |                                                                                                |                                                                                                                                                                                              |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9. Appl. No. 16-6359 from<br>Chibo International Corp.,<br>dba Okonomiyaki Chibo<br>Restaurant | For a [Stand-Alone] Temporary<br>Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) at 280 Beach Walk,<br>formerly part of Bills Sydney |
|------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## LICENSE APPLICATIONS: (CONT.)

### Caterer License Applications:

- |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10. Appl. No. 16-6751 from Host International Inc. and GRL Corp., dba Host Honolulu Joint Venture Company – Inter-Island Terminal, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 300 Rodgers Boulevard (R0193) | For a Caterer General license to cater off the licensed premises to Gate 49 Makai Beer Kiosk at Honolulu International Airport from June 14 to August 15, 2016 (63 days)<br><br>(Request to accept long-term caterer application (63 days) approved on June 2, 2016)   |
| 11. Appl. No. 16-6752 from Host International Inc. and GRL Corp., dba Host Honolulu Joint Venture Company – Inter-Island Terminal, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 300 Rodgers Boulevard (R0193) | For a Caterer General license to cater off the licensed premises to Gate 21 Central Beer Kiosk at Honolulu International Airport from June 14 to August 15, 2016 (63 days)<br><br>(Request to accept long-term caterer application (63 days) approved on June 2, 2016) |
| 12. Appl. No. 16-6950 from Basin Project, Inc., dba Michel's at the Colony Surf, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 2895 Kalakaua Avenue (R0357)                                                    | For a Caterer General license to cater off the licensed premises to Haleiwa Beach House from July 1, 2016 to August 29, 2016 (60 days)<br><br>(no approval to accept long-term caterer application)                                                                    |

REQUESTS:

- |                                                                                                                                                                                                                                                |                                                                                                                                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13. Cheeseburger Waikiki Limited Partnership, dba Cheeseburger Waikiki Limited Partnership/Waikiki Brewing Company, Brew Pub General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 1945 Kalakaua Avenue (B0008) | Requesting approval to temporarily extend its licensed premises to include an adjacent parking lot area from June 1, 2016 to August 1, 2016, from 11 a.m. to 11 p.m. |
| 14. Murphy's Inc., dba Murphy's Bar & Grill, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 2 Merchant Street (R0887)                                                                         | Requesting approval to temporarily extend its licensed premises on Saturday, June 25, 2016, from 7 a.m. to 10 p.m.                                                   |
| 15. ALM Management Services LLC, dba Ala Moana Hotel, Hotel General license, 410 Atkinson Drive (L0001)                                                                                                                                        | Notification of new member and transfer of membership interests                                                                                                      |

REQUESTS: (CONT.)

16. 69 Enterprises LLC, dba  
Smith and Kings-Restaurant  
& Bar, Restaurant General  
license (Category No. 1 –  
Standard Bar), 69 North  
King Street (R0992)

Requesting approval to further  
extend catering period for an  
additional 31 days from July 1 to  
July 31, 2016, subject to payment  
of additional fees

(Request to accept long-term  
caterer application approved  
February 18, 2016;  
Appl. No. 16-4334 approved  
March 3, 2016)

[Caterer General License  
No. P1476 issued on March 4,  
2016 (expired 4/10/16)]

[Prior requests to extend catering  
period approved on:  
April 7, 2016 (4/11/16 to 5/10/16);  
May 5, 2016 (5/11/16 to 6/30/16)]

[Catering to 1687 Kapiolani  
Boulevard (Stats Sports Bar  
Honolulu)]

17. Pearl Entertainment LLC,  
dba Pearl Ultra Lounge,  
Cabaret General license  
(Category No. 1 – Standard  
Bar), 1450 Ala Moana  
Boulevard, #3230 (I0113)

Requesting approval to renew its  
liquor license for fiscal year 2016-  
2017

(license in safe keeping)

ADOPTION OF DECISION AND ORDER:

18. Buffalo Wild Wings  
(LCV 15-0226)  
(R1132)

For adoption of Decision and  
Order

ADJUDICATION HEARINGS: (CONT.)

24. Little Seoul II, LLC  
(LCV 15-0228)  
(R1026)
- Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way (Violation of Rule 3-84-79.1) (Date of violation: On or about December 20, 2015)
25. Murphy's Bar & Grill  
(LCV 16-0057)  
(R0887)
- Licensee sold, served or furnished intoxicating liquor to a minor, or allowed consumption of intoxicating liquor by a minor at the licensed premises (Violation of Section 281-78(b)(1)(A), HRS) (Date of violation: On or about March 17, 2016)
26. Michelle's Restaurant Lounge  
(LCV 15-0213)  
(I0015)
- (1) Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about November 27, 2015)
- (2) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about November 27, 2015)

(Continued from June 16, 2016)



OTHER BUSINESS:

27. Liquor Administrator

Petitioner-Administrator's Petition to Impose Restrictions and/or Conditions on Liquor License Number E1556

(license issued to Hawaii Country Club Bar & Grill, LLC, dba Hawaii Country Club Bar & Grill, 94-1211 Kunia Road, Wahiawa)

28. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to [liquor@honolulu.gov](mailto:liquor@honolulu.gov), or call Tammie Uyechi at 768-7308, at least three (3) business days prior to the meeting.

# Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i and City & County of Honolulu

200 S. High Street, Wailuku, Hawaii 96793 (808) 270-7665

[www.hicounties.com](http://www.hicounties.com)



## **A G E N D A**

### **HSAC GENERAL MEMBERSHIP MEETING**

Wednesday, June 22, 2016, at 10 a.m. or soon thereafter

Keauhou III, Sheraton Kona Resort

78-128 Ehukai Street

Kailua-Kona, Hawaii 96740

#### **I. CALL TO ORDER**

#### **II. APPROVAL OF AGENDA**

#### **III. MINUTES**

- A. Minutes of the June 24, 2015 HSAC General Membership meeting, as submitted by HSAC Secretary Ikaika Anderson.
- B. Minutes of the January 19, 2016 Special HSAC General Membership meeting, as submitted by HSAC Secretary Ikaika Anderson.

#### **IV. TREASURER'S REPORTS**

- A. Fiscal Year 2017 HSAC Annual Operating Budget.
- B. Monthly Treasurer's Reports from June 1, 2015 to May 31, 2016.

#### **V. EXECUTIVE COMMITTEE MEETING MINUTES**

- A. June 24, 2015
- B. July 29, 2015
- C. August 27, 2015
- D. September 11, 2015
- E. September 30, 2015
- F. November 23, 2015
- G. December 7, 2015
- H. January 19, 2016
- I. February 12, 2016
- J. March 8, 2016
- K. April 21, 2016
- L. May 31, 2016

#### **VI. EXECUTIVE COMMITTEE REPORTS**

- A. The Executive Committee at its August 27, 2015 meeting approved HSAC's audited financial statements for Fiscal Year 2015 as prepared by Carbonaro CPAs & Management Group.
- B. The Executive Committee at its September 11, 2015 meeting approved a State bill relating to zoning to be included in the 2016 HSAC Legislative Package.



- C. The Executive Committee at its September 30, 2015 meeting approved a bylaw amendment adding a two-year rotation schedule for the HSAC slate of officers and approved a new slate of officers.
- D. The Executive Committee at its November 23, 2015 meeting approved the following proposals to be included in the 2016 HSAC Legislative Package:
1. A bill for an act relating to counties' short-term investments
  2. A bill for an act relating to public agency meetings and records
  3. A bill for an act relating identification cards for persons with disabilities
  4. A bill for an act relating to zoning
  5. A bill for an act relating to tort liability
  6. A bill for an act relating to mopeds
  7. A resolution requesting the Hawaii State Legislature urge Hawaii's congressional delegation to propose and pass a constitutional amendment to provide that corporations are not people with constitutional rights and that unlimited campaign spending is not free speech

The four county councils reviewed and approved the proposals, which were submitted to the Legislature as the 2016 HSAC Legislative Package.

- E. The Executive Committee at its November 23, 2015 meeting approved \$5,000 as seed money for the 2016 HSAC Conference bank account.
- F. The Executive Committee at its January 19, 2016 meeting authorized Dennis "Fresh" Onishi and Susan Caseria as signatories for the 2016 HSAC Conference bank account.
- G. The General Membership at its January 19, 2016 meeting approved the Fiscal Year 2016 slate of officers:

|                |                                                                          |
|----------------|--------------------------------------------------------------------------|
| President      | Michael P. Victorino, Maui County Council<br>Gladys C. Baisa (alternate) |
| Vice President | Dennis "Fresh" Onishi, Hawaii County Council<br>Danny Paleka (alternate) |
| Secretary      | Mel Rapozo, Kauai County Council<br>Ross Kagawa (alternate)              |
| Treasurer      | Ikaika Anderson, Honolulu City Council<br>Joey Manahan (alternate)       |

On April 21, 2016, the committee approved the same slate for Fiscal Year 2017.





- H. The Executive Committee at its February 12, 2016 meeting authorized reimbursement for airfare and ground transportation for one staff member from Maui County for training purposes. The committee also approved a new official letterhead.
- I. The Executive Committee at its March 8, 2016 meeting approved a \$10,000 budget for lobbying and communication efforts, with a focus on the counties' advocacy for a fair share of the Transient Accommodations Tax.
- J. The Executive Committee at its April 21, 2016 meeting approved HSAC's Fiscal Year 2016 Annual Operating Budget.
- K. The Executive Committee at its April 21, 2016 meeting approved Ikaika Anderson and KipuKai Kualii to serve on the National Association of Counties Board of Directors and Mike White and Danny Paleka to serve on the Western Interstate Region Board of Directors for Fiscal Year 2017. In addition, Dennis "Fresh" Onishi continues to serve on the NACo Board of Directors as a presidential appointee.
- L. The Executive Committee at its May 31, 2016 meeting approved a bylaw amendment to allow for the reimbursement of lodging expenses arising from official travel.

## **VII. ELECTION OF OFFICERS**

- A. The following is the proposed slate of officers for Fiscal Year 2017.

|                |                                                                          |
|----------------|--------------------------------------------------------------------------|
| President      | Michael P. Victorino, Maui County Council<br>Gladys C. Baisa (alternate) |
| Vice President | Dennis "Fresh" Onishi, Hawaii County Council<br>Danny Paleka (alternate) |
| Secretary      | Mel Rapozo, Kauai County Council<br>Ross Kagawa (alternate)              |
| Treasurer      | Ikaika Anderson, Honolulu City Council<br>Joey Manahan (alternate)       |

- B. The following are nominees to the NACo Board of Directors and WIR Board of Directors for the 2016-2017 term.

### **NACo Board of Directors**

- KipuKai Kualii, Kauai County Council
- Ikaika Anderson, Honolulu City Council

### **WIR Board of Directors**

- Mike White, Maui County Council



- Danny Paleka, Hawaii County Council

#### **VIII. NEW BUSINESS**

##### **A. Discussion on the proposed 2017 HSAC Legislative Package timeline:**

- a. September 9, 2016 — Deadline to receive proposals from each county to be included in the 2017 HSAC Legislative Package.
- b. September 30, 2016 — Deadline for the Executive Committee to forward the proposals to each county for consideration.
- c. November 25, 2016 — Deadline for counties to approve the proposed 2017 HSAC Legislative Package.
- d. January 18, 2017 — Opening day of 2017 State Legislative Session; luncheon and briefing with State legislators.

##### **B. Discussion on lobbying efforts for 2017 State Legislative Session.**

#### **IX. ANNOUNCEMENTS**

#### **X. ADJOURNMENT**

*OCS:Proj:HSAC:FY2016:16Agendas:June 0622:160622 Gen Mem Agenda:mkz*

**From:** Mitsuda, Brandon  
**Sent:** Thursday, June 16, 2016 5:43 PM  
**To:** Kim, Gail T.; Tam, Laurie  
**Subject:** FW: HSAC General Membership Agenda - HELP! (1 of 2 agendas)

**From:** Kit Zulueta [<mailto:Kit.Zulueta@mauicounty.us>]  
**Sent:** Thursday, June 16, 2016 4:16 PM  
**To:** Mitsuda, Brandon; Figueiredo, Francisco; Aida Kawamura; Darlene Espejo; Nicole Kahinu; Kimura, Lisa-Ann L  
**Subject:** Fwd: HSAC General Membership Agenda - HELP! (1 of 2 agendas)

Please post!

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2016 JUN 17 AM 8:39

# Hawai'i State Association of Counties (HSAC)

Counties of Kaua'i, Maui, Hawai'i and City & County of Honolulu

200 S. High Street, Wailuku, Hawaii 96793 (808) 270-7665

[www.hicounties.com](http://www.hicounties.com)



## AGENDA

### HSAC EXECUTIVE COMMITTEE MEETING

Wednesday, June 22, 2016, at 8:30 a.m. or soon thereafter

Keauhou III, Sheraton Kona Resort

78-128 Ehukai Street

Kailua-Kona, Hawaii 96740

#### I. CALL TO ORDER

#### II. APPROVAL OF AGENDA

#### III. MINUTES

- A. Minutes of the May 31, 2016 HSAC Executive Committee meeting, as submitted by HSAC Secretary Mel Rapozo.

#### IV. REPORTS

##### A. Treasurer's Report

- 1. Treasurer's Report for May 2016, as submitted by HSAC Treasurer Ikaika Anderson.

##### B. County Reports

- 1. City and County of Honolulu Report
- 2. County of Hawaii Report
- 3. County of Kauai Report
- 4. County of Maui Report

##### C. National Association of Counties Report

- D. Western Interstate Region Report as submitted by WIR Board Members Mike White and Danny Paleka.

#### V. NEW BUSINESS

- A. Communication from Hawaii County Clerk Stewart Maeda, transmitting Resolution No. 537-16, "A RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES FISCAL YEAR 2016-2017 PROPOSED OPERATING BUDGET," which was adopted on June 3, 2016.

- B. Communication from Hawaii County Clerk Stewart Maeda, transmitting Resolution No. 538-16, "A RESOLUTION APPROVING THE HAWAII STATE ASSOCIATION OF COUNTIES SLATE OF OFFICERS, NOMINEES TO THE NATIONAL ASSOCIATION OF COUNTIES BOARD OF DIRECTOS, AND NOMINEES TO THE WESTERN INTERSTATE REGION BOARD OF DIRECTORS FOR FISCAL YEAR 2016-2017," which was adopted on June 3, 2016.





C. Honolulu City Council Resolution 16-125, entitled "APPROVING THE PROPOSED BUDGET FOR THE HAWAII STATE ASSOCIATION OF COUNTIES FOR THE FISCAL YEAR 2017," which was adopted on June 1, 2016.

D. Honolulu City Council Resolution 16-126, entitled "RELATING TO APPOINTMENTS AND NOMINATIONS FOR THE HAWAII STATE ASSOCIATION OF COUNTIES," which was adopted on June 1, 2016.

E. Discussion and consideration of nominations to the NACo Steering Committees.

**VI. UNFINISHED BUSINESS**

A. State Legislature update and discussion on lobbying efforts.

**VII. ANNOUNCEMENTS**

A. Scheduling of the next meeting.

B. Other announcements.

**VIII. ADJOURNMENT**



**From:** Mitsuda, Brandon  
**Sent:** Thursday, June 16, 2016 5:44 PM  
**To:** Kim, Gail T.; Tam, Laurie  
**Subject:** FW: HSAC Executive Committee meeting agenda - (2 of 2 agendas)

**From:** Kit Zulueta [<mailto:Kit.Zulueta@mauicounty.us>]  
**Sent:** Thursday, June 16, 2016 4:14 PM  
**To:** Mitsuda, Brandon; Figueiredo, Francisco; Aida Kawamura; Darlene Espejo; Nicole Kahinu  
**Subject:** Fwd: HSAC Executive Committee meeting agenda - (2 of 2 agendas)

Please post!

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2016 JUN 16 PM 2:14

KIRK CALDWELL  
MAYOR

DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR  
HONOLULU, HAWAII 96813

Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: www.honolulu.gov



MICHAEL D. FORMBY  
DIRECTOR


MARK N. GARRITY, AICP  
DEPUTY DIRECTOR

PT 655336

June 14, 2016

**MEMORANDUM**

TO: Members of the Department of Transportation Services  
Committee for Accessible Transportation

FROM:   
Michael D. Formby, Director  
Department of Transportation Services

SUBJECT: Meeting Notice

The next meeting of the Department of Transportation Services' Committee for Accessible Transportation will be held on:

**June 28, 2016, 10:30 a.m.  
Fasi Municipal Building, 3<sup>rd</sup> Floor Conference Room  
650 South King Street  
Honolulu, Hawaii 96813**

If you are unable to attend or have questions about the meeting, please call Karisha Lawas at 768-8382 or Geri Ung at 768-8381.

Attachments

cc: City Clerk

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**DEPARTMENT OF TRANSPORTATION SERVICES  
COMMITTEE FOR ACCESSIBLE TRANSPORTATION**

**AGENDA**

**Tuesday, June 28, 2016, 10:30 a.m.  
Fasi Municipal Building, 3<sup>rd</sup> Floor Conference Room  
650 South King Street  
Honolulu, Hawaii 96813**

- I. Call to Order
- II. Approval of April 4, 2016 Meeting Minutes
- III. New Business
  - A. Paratransit Growth Management Plan Update
  - B. TheHandi-Van Updates
    - 1. Fleet Procurement (DTS)
    - 2. On-Time Performance (OTS)
    - 3. OTS Phone System Upgrade (OTS)
    - 4. Drivermate Pilot Program (OTS)
    - 5. New Taxi Subcontractor Contract (OTS)
    - 6. IVR System Procurement (OTS)
  - C. Election of CAT Chair and Vice Chair
- IV. Other Business
- V. Close





## MAKAKILO/ KAPOLEI/ HONOKAI HALE NEIGHBORHOOD BOARD NO. 34

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### **REGULAR MEETING AGENDA**

WEDNESDAY, JUNE 22, 2016

KAPOLEI HIGH SCHOOL - CAFETERIA

91-5007 Kapolei Parkway

7:00 P.M. – 9:45 P.M.

#### **MEETING POLICIES**

**RULES OF SPEAKING:** Makakilo Kapolei Honokai Hale Neighborhood Board #34 has the ability and means to exercise a change in the structure of its meeting agendas. Let it be known that all present and future agendas items will be commented on by the public at the beginning of the meeting agenda. Time allowances will prevail at the noted limits and anyone wanting to comment on multiple items will be allowed to do so with the same time limit allow per issue/item when the issue/item is called. Anyone wishing to speak should sign in before the start of the meeting and will be called up in that order. All speakers are asked to be first recognized by the Chair, and address comments through the Chair. Speakers (community and Board), must keep their comments under one (1) minute (adopted December 5, 2005), and those giving reports are urged to keep their reports under three (3) minutes unless otherwise noted. Written reports, flyers, information pertinent to reports are to be handed out PRIOR to presentation/discussion.

**Please silence all electronic devices. Please adhere to time limits.**

**NOTE:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on unless added to the agenda.

**ORDER AND DECORUM:** Our meetings are intended to act with fairness and order, and according to the 2008 Neighborhood Plan. Everyone is asked to treat each speaker with respect and keep their comments on **agenda subjects** within the time allowed. Your kokua is appreciated to avoid delays or timely adjournment of the meeting. Rules of decorum will be strictly enforced.

**I. WELCOME –MESSAGE OF ALOHA (PULE)** – Representative Bob McDermott – District 40

**II. CALL TO ORDER** – Chair Evelyn Souza

Roll Call / Statement of Order and Decorum

### **III. CITY MONTHLY REPORTS**

- a. Honolulu Fire Department – Duty Officer
- b. Honolulu Police Department – Duty Officer
- c. Board of Water Supply – Rian Adachi

### **IV. BOARD BUSINESS** (Limited to 10 minutes with Q&A limited to one (1) minute per person).

- a. Discussion and action for the nomination of qualified district residents to replace former Board member Troy Cullen who seat was vacated according to the Neighborhood Plan dictates on May 25, 2016. Nominees must qualify with current age limits, proof of residency and valid identification.
- b. Discussion and action concerning the appointment of a temporary Board accredited representative to Oahu Metropolitan Planning Organization (OMPO) Committee in the absence of Frank Genadio during the month of July and August 2016.
- c. Discussion and action concerning format change in future Neighborhood Board #34 agendas dealing with Questions and Answers (Q&A) portion added.
- d. Discussion, commentary and updates from elected officials concerning previous Board Resolutions on matters reflected below:  
(CM Kymberly Pine, Governor David Ige representative, Rep. Sharon Har, Rep. Andria Tupola, Rep. Ty Cullen, State Senator Maile Shimabukuro and Senator Mike Gabbard).

- 1. Resolution Demanding that, as directed by the 'Ewa Development Plan, the Honolulu Department of Planning and Permitting Cease Issuing All Future Permits for Construction of Housing developments, Time-shares, and Hotels in Leeward and Central O'ahu until Rush-Hour Traffic on all segments of H-1 Freeway Can be Certified to be at Level of Service D or Above. **The Board ADOPTED the Resolution regarding the moratorium on development. 5-1-0 (AYE: Capelouto, Madix, Mutchek, Spreg, and Souza; NAY: Legal; ABSTAIN: None).** Note: This Resolution (and similar versions supporting of intent) has been passed at the following

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Neighborhood Boards: **Pearl City NB #21, Mililani Mauka NB #35, Waianae NB #24, and unanimously at Nanakuli NB #36 Housing Committee and being sent to full Board for adoption June 22, 2016.**

2. Resolution Requesting the City Council adequately fund a Rewards Program and the appropriate signage to be posted on or near all City and County Parks and effectively work with Honolulu Police Department and existing Community organizations to reduce property damage in City parks through proposed Citizen Rewards Programs. **PASSED UNANIMOUSLY, 9-0-0 (AYE: Capelouto, Cullen, Dudley, Legal, Madix, Mutchek, Spreg, Souza, and Wond; NAY: None; ABSTAIN: None).**

3. Resolution in opposition to the current proposed alignment of the Kualaka'i Parkway (North/South Road) extension through the DeBartolo Development Ka Makana Alii project, due to encroachment and interference with **Hawaiian Railway Society (HRS)** operations, a non-profit organization, that has boundaries that are required to be protected under the Federal (OR&L TRACKS) and State (HRS) Historic registers. **Board UNANIMOUSLY ADOPTED the Resolution opposing the extension of the Kualaka'i Parkway. 6-0-0 (AYE: Capelouto, Legal, Madix, Mutchek, Spreg, and Souza; NAY: None; ABSTAIN: None).**

4. Resolution for Protection and Preservation of the Ewa Airfield as a National Historic Military Monument and National Battlefield. **Board UNANIMOUSLY ADOPTED the resolution 6-0-0 (AYE: Capelouto, Legal, Madix, Spreg, Souza, and Mutchek; NAY: None; ABSTAIN: None).**

**V. PRESENTATIONS (Limited to five (5) minutes)**

- a. Update on Pueo Issue in Honouliuli and Puuloa area. Senator Mike Gabbard
- b. Presentation model and pattern of success work on Maui Kihe with the DRAFT "Habitat Conservation Plan for HONUA'ULA (WAILEA 670) for KIHE, MAUI integrating the a Hawaiian Cultural presence in place with Hawaiian Cultural practices. Michael Kumukauoha Lee
- c. Discussion and action concerning alcohol service at the new Consolidated Theaters location in the Ka Makana Ali'i Shopping Center opening in the fall of 2016 – Rod Tengan, Division Manager of Consolidated Theaters
- d. Coral Crater Amusement Park- Newest addition to the Kalaeloa Hunt Properties tenant – Jim Owens

**VI. COMMUNITY/BOARD CONCERNS & ANNOUNCEMENTS** (Limited to one (1) minute each per person in totality.) (Issues concerning and/or needing elected official's or agency input/comments and related issues are to discuss in relative portion of the agenda. Issues and concerns not listed elsewhere on the Board's agenda may be raised, but because of HRS Chapter 92 ("Sunshine Law"), no Board action can be taken during this meeting.)

**VII. APPROVAL OF REGULAR MEETING MINUTES OF MAY 26, 2016 MEETING.**

**VIII. MONTHLY REPORTS** – (Limited to three (3) minutes each, unless otherwise requested) If there are any printed reports and/or flyers that need to be disseminated, please do so before start of meeting (or as early as possible) so Board members have adequate time to brief themselves with your material and information.

- a. Mayor Kirk Caldwell – City Representative
- b. Councilmember Kymberly Pine (768-5001, [kmpine@honolulu.gov](mailto:kmpine@honolulu.gov))
- c. Governor David Ige – Representative for Governor's office
- d. Hawaii Community Development Authority (HCDA) – Tesha Malama
- e. Honolulu Authority for Rapid Transit (HART) – Pat Lee
- f. State Senator Mike Gabbard
- g. Senator Maile Shimabukuro
- h. State Representative Sharon Har
- i. State Representative Andria Tupola
- j. State Representative Ty Cullen

**IX. REPORTS** – (Limited to three (3) minutes each)

- a. Parks and Recreation Committee Update – Kanani Wond
- b. Transportation Committee – D. Kalani Capelouto
- c. Chair's Report (Correspondence and Other Board Operations Information)
- d. Treasurer Report

**X. ANNOUNCEMENTS**

- a. Next Scheduled Meeting – The Next Scheduled Board Meeting is Wednesday, July 27, 2016 in KAPOLEI HIGH SCHOOL Cafeteria at 7:00 p.m. Kapolei, HI 96707

- b. **FUTURE** Agenda Matters: Traffic remedies being implemented and forecasted for the District and sister city areas because of construction. Identification of Important Agricultural Lands (IAL) in the District updates.

## **XI. ADJOURNMENT**

'Olelo Community Television Cablecast of Board Meetings: The Makakilo/Kapolei/Honokai Hale Neighborhood Board regular meetings are video recorded and later on 'Olelo Community Television Channel 49 at 9:00 p.m. on the second Friday of the month and on Channel 49 with a schedule of the 1st and 3rd Saturday of the month at 12:00 p.m. determined by 'Olelo. There may be a week or two (2) delay after a meeting date before the first cablecast of that meeting's video. The 'Olelo program schedule is posted at <http://www.olelo.org/programming/default.html>.

A mailing list is maintained for interested persons and agencies to receive the board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone (808) 768-3710 or Fax (808) 768-3711. Agendas and minutes are also available on the internet at <http://www1.honolulu.gov/nco>.

Any person wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at (808) 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.







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## NOTICE OF MEETING

Notice is hereby given that a meeting of the  
OAHU METROPOLITAN PLANNING ORGANIZATION  
**POLICY BOARD**

will be held on

Friday, June 24, 2016 at 1:00 p.m.

Hawaii State Capitol, Room 423

415 South Beretania Street, Honolulu, Hawaii

## AGENDA

- I. Call to order by Chair
- II. Introductions/Roll Call
- III. Approval of May 27, 2016 Policy Board Meeting Minutes
- IV. Reports
  - a. Interim Executive Director
  - b. Technical Advisory Committee
  - c. Citizen Advisory Committee
- V. Old Business
  - a. None
- VI. New Business

**a. Emergency Evacuation Plan Phase 1 Presentation**

In FY 2012, the OahuMPO Policy Board approved funding for the Department of Emergency Management (DEM) to complete an Emergency Evacuation Plan. Phase 1 of that plan was recently completed and DEM Director Mel Kaku will present the results of the plan.

*Requested Action:* Recommend acceptance of the Emergency Evacuation Plan Phase 1.

**b. Citizen Advisory Committee Bylaws Recommendations**

In light of the recently approved bylaws for the Policy Board and the Technical Advisory Committee, the Citizen Advisory Committee (CAC) Bylaws Subcommittee met to discuss and make recommendations about updates to the CAC Bylaws. On May 18<sup>th</sup>, the CAC considered and recommended Policy Board approval of the Subcommittee's proposed changes. OahuMPO Community Planner Amy Ford-Wagner will present a summary of the recommendations.

*Requested Action:* Approve changes to the CAC Bylaws.

**c. Executive Director Compensation and Terms**

On May 27<sup>th</sup>, the Policy Board voted unanimously to appoint Senior Planner Chris Clark as Interim Executive Director. The OahuMPO Comprehensive Agreement Section D.3 states that the "Executive Director shall be appointed by the Policy Board." Policy Board members will discuss

### Oahu Metropolitan Planning Organization

Ocean View Center / 707 Richards Street, Suite 200 / Honolulu, Hawaii 96813-4623

Telephone (808) 587-2015 • (808) 768-4178 / Fax (808) 587-2018 / e-mail: OahuMPO@OahuMPO.org / website: www.OahuMPO.org

and consider action on the compensation, length of term, and authority to extend the appointment of the Interim Executive Director.

On May 27<sup>th</sup> a Permitted Interaction Group was also formed to search for and evaluate candidates to fill the Executive Director position more permanently. Policy Board members will discuss an appropriate and competitive salary range to include in the recruitment advertisement.

*State Law (HRS §92-4) provides that an executive meeting closed to the public may be held, upon an affirmative vote of two-thirds of the members present, to "consider evaluation of an employee, where consideration of matters affecting privacy will be involved."*

*Requested Action:* Approve compensation and length of appointment for the Interim Executive Director. Confirm salary range for Executive Director advertisement.

**d. Annual Orientation Refresher**

The Policy Board's Bylaws state: "At least once per calendar year during a regularly scheduled meeting of the TAC, the Executive Director shall provide 'refresher' orientation to members of the roles and responsibilities of the OahuMPO under Federal, State, and local laws, the programs, processes and procedures, and work products and programs that are the responsibility of OahuMPO." This presentation is an opportunity for members to discuss the MPO's purpose and role in the overall process.

*Requested Action:* None.

**VII. Invitation to interested members of the public to be heard on matters not included on the agenda**

**VIII. Announcements**

- a. It is anticipated that the next Policy Board meeting will be held on Friday, July 29<sup>th</sup> at 1:00 pm in the Hawaii State Capitol Room #423.**

**IX. Adjournment**

**PUBLIC TESTIMONY** will be accepted on any Policy Board agenda item. Testimony will be accepted as follows:

**Oral Testimony**

Oral testimony is limited to three (3) minutes per person, per agenda item.

- Written documentation of oral testimony is requested (submit 1 original to OahuMPO staff).
- Any person wishing to speak on an agenda item may register by:
  - Calling 587-2015 at least two (2) hours prior to the start of the meeting (calls to testify at meetings starting before 10:00 a.m. must reach the OahuMPO office prior to the close of the preceding business day); or
  - Signing up in person at the meeting prior to the start of the meeting.
- Note: Submittal of written testimony does not automatically place you on the list for oral testimony. Those wishing to testify orally, must still register to testify.

**Written Testimony**

- One (1) original and fifteen (15) copies of each written testimony is required.

- Written testimony must reach the OahuMPO office at least 24 hours prior to the start of the meeting (for Monday meetings, written testimony must reach the OahuMPO office by the prior Friday morning).
- Written testimony sent to OahuMPO via e-mail ([oahumpo@oahumpo.org](mailto:oahumpo@oahumpo.org)) or fax (587-2018) will be accepted under the following conditions:
  - E-mailed and faxed testimony must reach the OahuMPO office at least 24 hours prior to the start of the meeting (for Monday meetings, e-mailed and faxed testimony must reach the OahuMPO office by the prior Friday morning). To confirm receipt of your testimony, you may call the OahuMPO office at 587-2015.
  - E-mailed and faxed testimony should be limited to the equivalent of 4 single-sided 8-1/2" x 11" pages, including attachments and other supplemental information.
    - If testimony exceeds this requirement, OahuMPO will only copy and distribute the allowable number of pages.
- OahuMPO staff will not be responsible for copying and/or distributing written testimony received after the deadline or brought to the meeting. Written testimony received after the deadline will not be copied or distributed to the Policy Board members prior to the start of or during the meeting; late submittals will be sent to the Policy Board members at a later date.
- Any written testimony brought to the meeting by a testifier may be distributed to the Policy Board members by said testifier. The original of the written testimony should be given to OahuMPO staff for OahuMPO's records.
- Note: Submittal of written testimony does not automatically place you on the list for oral testimony. Those wishing to testify orally, must still register to testify.
- Note: Any personal information (such as home addresses, home phone numbers, cell phone numbers) included on the written testimony will become public information.

**To request language interpretation, an auxiliary aid or service (i.e., sign language interpreter, accessible parking, or materials in alternative format), contact OahuMPO at 587-2015 (voice only) three (3) days prior to the meeting date. TTY users may use TRS to contact our office.**

<< OahuMPO is a government agency responsible for coordinating transportation planning on Oahu >>

LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU  
PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 600  
HONOLULU, HAWAII 96813

2016 JUN 16 AM 7:47

THURSDAY, JUNE 16, 2016 MEETING

CONTINUED MATTERS:

REQUESTS: (CONT.)

- |                                                                                                                                                                                                                          |                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13-A Element Management<br>Group Inc., dba Vice<br>Inferno Hi Brew Co., Brew<br>Pub General license<br>(Category No. 2 – Live<br>Entertainment or Recorded<br>Music and Dancing), 1200<br>Ala Moana Boulevard<br>(B0004) | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |
| 13-B HBC Partners LLC, dba<br>Honolulu Burger Company,<br>Restaurant General license<br>(Category No. 2 – Live<br>Entertainment or Record<br>Music and Dancing), 4210<br>Waialae Avenue (R1077)                          | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |
| 13-C La Mart Corporation, dba<br>Mimasuya Italiano,<br>Restaurant General license<br>(Category No. 1 – Standard<br>Bar), 1341 Kapiolani<br>Boulevard, #101 (R1007)                                                       | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |

REQUESTS: (CONT.)

- |                                                                                                                                                                                                                        |                                                                                                                                                        |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13-D La Rumba LLC, dba<br>ELEVEN44, Dispenser<br>General license (Category<br>No. 3 – Live Entertainment<br>or Recorded Music and<br>Dancing), 1144 Bethel<br>Street (E1476)                                           | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |
| 13-E Letellier, Inc., dba Monaco<br>Bar, Dispenser General<br>license (Categories No. 3<br>and 4 – Live Entertainment<br>or Recorded Music and<br>Dancing; and Hostess), 1689<br>Kapiolani Boulevard, #A/#B<br>(E1443) | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |
| 13-F S.Y., Corporation, dba<br>Michelle's Restaurant<br>Lounge, Cabaret General<br>license (Category No. 1 –<br>Standard Bar),<br>641 Keeaumoku Street<br>(I0015)                                                      | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)<br><br>(Continued from June 9, 2016) |





**MILILANI/ WAIPIO/ MELEMANU NEIGHBORHOOD BOARD NO. 25**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA  
WEDNESDAY, JUNE 22, 2016  
MILILANI RECREATION CENTER III  
95-281 Kaloapau Street  
7:30 p.m.**

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- I. **CALL TO ORDER/PLEDGE OF ALLEGIANCE** – Dick Poirier, Chair
- II. **APPROVAL OF REGULAR MEETING MINUTES OF MAY 25, 2016**
- III. **COMMUNITY FORUM**
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
  - C. Military – Combat Aviation Brigade, 25th Infantry Division
  - D. Board of Water Supply
  - E. Other Community Concerns
- IV. **PUBLIC FORUM**
  - A. Update on Happening at the Mililani Public Library –
    - Wendy Woodstrup, Branch Manager and Head Librarian
- V. **REPORTS OF PUBLIC OFFICIALS**
  - A. Governor David Ige's Representative – Keith Kawaoka, Deputy Director, State Department of Health
  - B. Mayor Kirk Caldwell's Representative – Tracy Kubota, Deputy Director, Department of Enterprise Services
  - C. City Council Report – Ron Menor, Councilmember
  - D. Senator Michelle Kidani
  - E. Representative Ryan Yamane
  - F. Representative Beth Fukumoto
  - G. Representative Lauren Matsumoto
- VI. **COMMITTEE AND OTHER REPORTS**
  - A. Treasurer's Report – Charlie Remington
  - B. Planning & Zoning/Transportation – Karen Loomis, Chair
  - C. Recreation – Rodney Park, Chair
  - D. Civil Defense/Military – Danielle Bass, Chair
  - E. Education – Emil Svrčina, Chair
  - F. Solid Waste/Hickam POL – Michael Dau, Chair
  - G. Health & Safety/Public Health – Pua Iuli, Chair
  - H. Recognition/Service Awards – Trevor Nagamine, Chair
  - I. Publicity/Public Relations – Marion Poirier, Chair
  - J. Telecommunications/Website – Sabrina Gustafson, Chair
  - K. Hawaii State Legislature – Ann Freed, Chair
  - L. Chair

**VII. NEW BUSINESS**

- A. Resolution on the Proposed Charter Commission Amendment Regarding Creation of a Single Transit Agency to Manage Bus and Rail Transit Operations(Karen Loomis)

**VIII. ANNOUNCEMENTS**

- A. Next Regular Board Meeting – The next regular Mililani/Waipio/Melemanu Neighborhood Board No. 25 meeting will be held on Wednesday, July 27, 2016 at Mililani Recreation Center III (95-281 Kaloapau Street) at 7:30 p.m.
- B. Broadcasts – Videotape of Board meetings are scheduled to be shown on `Olelo Focus 49 every second Thursday at 9:00 a.m. and every first and third Saturday at 9:00 a.m.

**IX. ADJOURNMENT**

If you would like to receive this Board's agenda and minutes, please contact the Neighborhood Commission Office, Honolulu Hale, Room 406, Honolulu, HI 96813; call Neighborhood Assistant James Skizewski at 768-3705 or e-mail at [james.skizewski@honolulu.gov](mailto:james.skizewski@honolulu.gov), fax 768-3711 to be added to the mailing list or visit [www.honolulu.gov/nco/index1.htm](http://www.honolulu.gov/nco/index1.htm).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24 hours before the scheduled meeting





**NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

**HOUSING COMMITTEE MEETING**  
**THURSDAY, June 30, 2016 – 7:00 p.m.**  
Ma`ili Community Park  
Kula`aupuni Street, Wai`anae HI 96792

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- I. Call to Order
- II. Welcome/Introductions
- III. Nomination of Committee Members
- IV. New Business
  - A. City and County of Honolulu Modular Housing Project In Wai`anae
  - B. Legislative Update on Bills Signed/Vetoed
  - C. Overview/Update of Leeward Housing Coalition Housing Summit held June 15, 2016
- V. Announcements/Community Concerns
- VI. Adjournment

**THE NANAKULI-MAILI NEIGHBORHOOD BOARD No. 36 HOUSING COMMITTEE MEETING IS A  
DRUG/ALCOHOL FREE COMMUNITY MEETING.  
COMMITTEE MINUTES AND AGENDAS ARE AVAILABLE ON THE CITY'S WEB SITE AT: [http:  
www.honolulu.gov](http://www.honolulu.gov)**

If you would like to receive this committee's agenda and minutes, please contact the Neighborhood Commission Office, Honolulu Hale, Room 400, Honolulu, HI 96813; call 768-3710; or fax 768-3711 to be added to the mailing list or visit [www.honolulu.gov/nco/index1.htm](http://www.honolulu.gov/nco/index1.htm). Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at 768-3710 between 8:00am and 4:00pm., at least 24-hours before the scheduled meeting.



NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: [http:// www1.honolulu.gov/nco](http://www1.honolulu.gov/nco)

Nanakuli-Mailii Neighborhood Board No. 36  
Hawaiian Affairs / Parks and Recreation Committee Meeting  
Kalanianaʻole Beach Park (aka Nanakuli Beach Park)  
Arts and Crafts Room  
89-269 Farrington Highway  
Monday, June 27, 2016. 7:00 pm – 8:30 pm

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- I. Welcome
- II. Parking Lot Closure at Kalanianaʻole Beach Park during contraflow hours
- III. Update on Waianae Emergency Access Route affecting Nanakuli Valley
- IV. Future development in Nanakuli Valley
- V. Requested action items for full board consideration
- VI. Open Discussion
- VII. Adjournment



## NANAKULI-MAILI NEIGHBORHOOD BOARD NO. 36

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

TUESDAY, JUNE 21, 2016

NANAIKAPONO ELEMENTARY SCHOOL CAFETERIA

89-153 MANO AVENUE, WAIANAE, HI 96792

7:00 P.M. – 9:30 P.M.

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under two (2) minutes, and those giving reports are urged to keep their reports less than three (3) minutes. Please silence all electronic devices.

**Written Testimony:** All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbttestimony@honolulu.gov](mailto:nbttestimony@honolulu.gov)

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds vote of six (6) of this nine (9) member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

- I. CALL TO ORDER – Chair Cynthia Rezentes
- II. CITY/STATE MONTHLY REPORTS (Limited to three (3) minutes each) (PART ONE)
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
  - C. Board of Water Supply
  - D. Military Representative
  - E. Mayor Kirk Caldwell's Representative
  - F. Councilmember Kymberly Pine
- III. BOARD BUSINESS (PART TWO)
  - A. Approval of May 17, 2016 meeting minutes
  - B. Approval of June 21, 2016 meeting agenda
  - C. Treasurer's Report
  - D. Reports of Members Attendance at Other Meetings
    - 1) Ahupua'a O Nanakuli: Karen Awana, Richard Landford, Cynthia Rezentes
- IV. RESIDENTS'/ COMMUNITY CONCERNS (Limited to three (3) minutes each)
- V. OLD BUSINESS (Limited to ten (10) minutes each)
  - A. Requested Support of Makakilo-Kapolei-Honokai Hale Resolution Regarding Traffic and Developments – Housing Committee – attached – (Rezentes)
- VI. NEW BUSINESS (Limited to ten (10) minutes each)
  - A. Waianae Coast Emergency Alternative Route (WCEAR) Presentation by Mr. Peter HIRAI (DEM) – (Requested 20 minutes)
  - B. Nanaikeola Senior Apartments, Inc. Update and Request for Support for (Mike Klein):
    - 1) Closing off private roadway behind Nanaikeola Senior Apartments, Inc.
    - 2) New Signage Request for Nanaikeola Street
    - 3) New Loading Zone on Nanaikeola Street
    - 4) Re-fence and close off Nanaikeola Street unpaved bridge
- VII. ELECTED OFFICIALS
  - A. Governor David Ige's Representative (if appointed)
  - B. Senator Maile Shimabukuro

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- C. Representative Andria Tupola
- D. Representative Jo Jordan

VIII. COMMITTEE REPORTS (Limited to three (3) minutes each)

- A. Agriculture Committee – Landford
- B. Education – Medeiros
- C. Hawaiian Affairs – Awana
- D. Health and Public Safety – Ku
- E. Housing Committee – Rezentes
- F. Legislative – Aipoalani
- G. Parks Committee – Awana
- H. Planning and Zoning Committee – Teruya
- I. Transportation Committee/OMPO – Landford

IX. ANNOUNCEMENTS

- A. Next Regular Board Meeting – Tuesday, July 19, 2016, 7:00 p.m. **PLEASE REVIEW THE JULY AGENDA FOR THE MEETING LOCATION.**
- B. Community Meeting # 2 by Bureau of Ocean Energy Management June 22, 2016, 7:00 p.m. at the Wai'anae District Park Multi-purpose Room, to discuss the process for leasing off-shore Federal Lands and when public input during the process will be accepted. There are three proposed utility-size windfarms off of O'ahu that this would encompass: Ka'ena Point, South O'ahu (Kalaeloa), and Waikiki.

X. ADJOURNMENT

A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant Relley Araceley at (808) 768-3790 or e-mail [relley.araceley@honolulu.gov](mailto:relley.araceley@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.



## NU'UANU/ PUNCHBOWL NEIGHBORHOOD BOARD NO. 12

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

Tuesday, June 21, 2016 7:15 p.m.  
Pauoa Elementary School Cafeteria  
2301 Pauoa Road

**Rules of Speaking:** Anyone wishing to speak is asked to raise his/her hand, and when recognized by the Chair, to address comments to the Chair. Speakers and those giving reports are encouraged to keep their comments to less than three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds (2/3) vote (10) of this 15-member Board is needed to add an item to the agenda. Adding an item to the agenda, however, is **not** permitted if (1) the item to be added is of reasonably major importance and (2) action on the item by the board will affect a significant number of persons. Determination of whether a specific matter may be added to an agenda must be done on a case-by-case basis.

- I. CALL TO ORDER – Chair Philip Nerney
- II. CITY MONTHLY REPORTS (Limited to three (3) minutes each)
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
    1. District 1
    2. District 5
    3. Neighborhood Security Watch Reports
  - C. Board of Water Supply – Iris Oda
- III. FILLING OF VACANCIES ON BOARD. There are two (2) vacancies in Subdistrict 1 (Punchbowl)
- IV. RESIDENTS'/COMMUNITY CONCERNS (Limited to three (3) minutes each)
- V. ELECTED OFFICIALS
  - A. Mayor Kirk Caldwell's Representative – Nelson Koyanagi, Director of the Department of Budget and Fiscal Services
  - B. Councilmember Carol Fukunaga – Chris Delaunay
  - C. Governor David Ige's Representative – Audrey Hidano, Deputy Director of the Department of Accounting and General Services
    1. Pali Highway lighting
  - D. Senator Suzanne Chun Oakland
  - E. Representative Sylvia Luke
  - F. Representative Takashi Ohno
- VI. BOARD BUSINESS
  - A. Adoption of May 17, 2016 meeting minutes
  - B. Action regarding three absences of Ethann Oki, per Neighborhood Plan §2-14-106
- VII. REPORTS (Limited to three (3) minutes each)
  - A. Treasurer's Report – Treasurer Michael Lum
- VIII. ANNOUNCEMENTS

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- Next Regular Board Meeting – The next Nu'uanu/Punchbowl Neighborhood Board No. 12 regular meeting is scheduled for Tuesday, July 19, 2016 at 7:15 p.m. in the Pauoa Elementary School cafetorium. Thanks to Principal Dale Arakaki and his staff for allowing the Board to meet at the school.

#### IX. ADJOURNMENT

A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant K. Russell Ho at (808) 768-3715 or e-mail [kho4@honolulu.gov](mailto:kho4@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).



MILILANI- MAUKA NEIGHBORHOOD BOARD NO.35.

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

**REGULAR MEETING AGENDA**

**TUESDAY, JUNE 21, 2016**

**MILILANI MAUKA ELEMENTARY SCHOOL**

**95-1111 MAKAIKAI STREET**

**7:00 P.M.**

Rules of Speaking: Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. All dialogue at the meeting will be conducted by use of the microphone. Anyone not following these rules will be ruled out of order by the Chair

Those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

Note: The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless allowed for under HRS 92.

- I. CALL TO ORDER – Stanton Oishi, Vice Chair
- II. PLEDGE OF ALLEGIANCE – BOY SCOUT TROOP 664
- III. CITY MONTHLY REPORTS (Limited to three (3) minutes each)
  - Honolulu Fire Department – Duty Officer
  - Honolulu Police Department – Duty Officer
  - Board of Water Supply – Tom Strout
  - Military – Lieutenant Colonel Busby
- IV. RESIDENTS/COMMUNITY CONCERNS (Limited to three (3) minutes each)
- V. ELECTED OFFICIALS:
  - Mayor's Representative – Jeanne Ishikawa
  - Council Chair District 2 – Ernie Martin
  - Governor's Representative – General Hara/Ross Higashi
  - Senator Donovan Dela Cruz
  - Representative Beth Fukumoto-Chang
- VI. BOARD BUSINESS:
  - Filing of board vacancy– At Large
  - 2016 Candidates' Forum
- VII. APPROVAL OF MINUTES: May 17, 2016
- VIII. REPORTS: (Limited to three (3) minutes each)
  - Patsy T. Mink Central Oahu Regional Park – Joseph Hwang
  - Treasurer's Report
  - Committees:
    - Education – Teresa Lau/Steven Melendrez
    - Military/Civil Defense – Keith Tamashiro
    - Parks & Recreation – Joseph Hwang
    - Planning & Zoning – Dana Agader/Stanton Oishi
    - Transportation – Steven Melendez
    - Recognition –
  - Chair's Report

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IX. ANNOUNCEMENTS

- Next Meeting – The Mililani Mauka/Launani Valley Neighborhood Board No. 35 will be in recess in July. Our next meeting will be held on August 16, 2016 at 7:00 p.m. at the Mililani Mauka Elementary School Cafeteria, 95-1111 Makaikai Street.
- 'Olelo Broadcasts – Videotape of Board meetings are scheduled to be shown on 'Olelo Channel 49 on the 1st Saturday of the month at 6:00 p.m., and 2nd and 4th Fridays of the Month on at 1:00 p.m.

X. ADJOURNMENT

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Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.



## WAIPAHU NEIGHBORHOOD BOARD NO. 22

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: [www1.honolulu.gov](http://www1.honolulu.gov)

### **REGULAR MEETING AGENDA**

THURSDAY JUNE 23, 2016 7:00 P.M.

FILIPINO COMMUNITY CENTER

94-428 MOKUOLA STREET

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under one (1) minute, and those giving reports are urged to keep their reports less than three (3) minutes. Please silence all electronic devices.

**Note:** The board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

1. **CALL TO ORDER** – Chair Rito Saniatan
2. **INTRODUCTION OF BOARD MEMBERS AND GUESTS**
3. **FIRST RESPONDER REPORTS** – (Limited to three (3) minutes each)
  - 3.1. Honolulu Fire Department (HFD)
  - 3.2. Honolulu Police Department (HPD)
  - 3.3. Weed and Seed Officer(HPD)
  - 3.4. Military Services
4. **RESIDENT AND COMMUNITY CONCERNS** – (Limited to three (3) minutes each)
5. **CITY REPORTS** – (Limited to three (3) minutes each)
  - 5.1. Mayor Kirk Caldwell Representative: Ed Manglallan, Deputy Director of Department of Facility Maintenance(DFM)
  - 5.2. Governors' Representative: Darrell Young, Deputy Director, DOT Harbor Division
  - 5.3. Councilmember Ron Menor
  - 5.4. Councilmember Brandon Elefante
  - 5.5. Board of Water Supply: Ed Dumlao
  - 5.6. Honolulu High Capacity Transit Project: Pat Lee
  - 5.7. Patsy T. Mink Central Oahu Regional Park/Waipio Soccer Complex : Marty Burke
  - 5.8. Waipahu Community Foundation: Marty Burke
  - 5.9. Oahu Metropolitan Planning Organization, Citizens Advisory Committee: Marcella Granquist
  - 5.9 Reports of Board Members Attendance at Other Meetings
  - 5.10 Other Reports
6. **BOARD BUSINESS**
  - 6.1. Approval of the May 26, 2016 Regular Meeting Minutes
  - 6.2. Treasurer's Report
  - 6.3. Chair's Report-Election of Officers
7. **OLD BUSINESS**
8. **NEW BUSINESS**

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**9. PRESENTATIONS – (Limited to 10 minutes each).**

9.1 Update-Farrington Highway Rail Guide way-Greg Uyematsu and Natasha Jones (Kiewit Cons)

**10. ELECTED OFFICIALS – (Limited to three (3) minutes each.)**

- 10.1. Senator Mike Gabbard
- 10.2. Senator Michelle Kidani
- 10.3. Senator Clarence Nishihara
- 10.4. Representative Henry Aquino
- 10.5. Representative Ty Cullen
- 10.6. Representative Roy Takumi
- 10.7. Representative Ryan Yamane

**11. ANNOUNCEMENTS**

- 11.1. The next regular meeting of the Waipahu Neighborhood Board No. 22 is scheduled for Thursday, July 28, 2016, 7:00-m at the Fil-Com Center.
- 11.2. Other Announcements

**12. ADJOURNMENT**

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone (808) 768-3710 or Fax (808) 768-3711; or call Neighborhood Assistant Allan "Chris" Acosta at (808) 768-3718 or e-mail [allan.acosta@honolulu.gov](mailto:allan.acosta@honolulu.gov). Agendas and minutes are also available on the internet at [www1.honolulu.gov/nco](http://www1.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24-hours before the scheduled meeting.

CITY AND COUNTY OF HONOLULU  
PLANNING COMMISSION

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2016 JUN 14 AM 9:07

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Planning Commission of the City and County of Honolulu:

PLACE: Pali Golf Course, 2<sup>nd</sup> Floor Banquet Hall, 45-050 Kamehameha Highway, Kaneohe  
DATE: July 6, 2016  
TIME: 1:30 p.m.

PUBLIC HEARING

Public hearing notice published in the Honolulu Star-Advertiser on June 24, 2016.

A BILL TO ADOPT THE REVISED KOOLAU POKO SUSTAINABLE COMMUNITIES PLAN  
FOR CITY AND COUNTY OF HONOLULU.

The purpose of this ordinance is to repeal the existing Sustainable Communities Plan (SCP) for Koolau Poko, Article 6, Chapter 24, Revised Ordinances of Honolulu 1990, and to adopt a new Article 6 incorporating the revised Koolau Poko Sustainable Communities Plan, which has been prepared in accordance with the prescribed requirements of Section 6-1509 of the Revised Charter of the City and County of Honolulu 1973, as amended.

The revised sustainable communities plan for Koolau Poko presents a vision for Koolau Poko's future development consisting of policies, guidelines, and conceptual schemes that will serve as a policy guide for more detailed zoning maps and regulations and for public and private sector investment decisions.

The draft revised Koolau Poko SCP is available for viewing at the Department of Planning and Permitting or online at [www.honoluluapp.org/planning](http://www.honoluluapp.org/planning) or at the Windward City Satellite City Hall, Monday to Friday, 8:00 a.m. to 4:00 p.m., at 45-480 Kaneohe Bay Drive, #C06, Kaneohe.

Information regarding this public hearing can be obtained by contacting the Planning Commission, 7<sup>th</sup> Floor, Frank F. Fasi Municipal Building, 650 South King Street, Honolulu, Hawaii 96813, telephone 768-8007.

Public testimony is to be taken at the hearing by registering at the public hearing. Written testimony (15 copies) may be filed with the Planning Commission at least (2) business days before the date and time of the hearing. Attendance at the public hearing is not necessary to submit written testimony. One copy may be faxed to 768-6743 or mailed (Planning Commission, 650 South King Street, 7<sup>th</sup> Floor, Honolulu, Hawaii 96813).

If you require special assistance, auxiliary aid and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluluapp.org](mailto:info@honoluluapp.org) at least three business days prior to the event.

PLANNING COMMISSION  
DEAN I. HAZAMA, Chair  
By

GEORGE I. ATTA, FAICP, Director  
Department of Planning and Permitting



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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING

2016 JUN 13 PM 4:37

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 13, 2016  
Honolulu, Hawaii

Page 1 of 2

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 22, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: SONYA JOHNSON, 808-768-3150.

| TAXPAYER                     | TAX MAP KEY  | APPEAL NO. | YEAR |
|------------------------------|--------------|------------|------|
| 1 BANK OF HAWAII TRS         | 420010460027 | 109571     | 2016 |
| 2 BANK OF HAWAII TRS         | 420010460031 | 109574     | 2016 |
| 3 SCHERMAN, EVAN I TR        | 420010460045 | 109575     | 2016 |
| 4 SCHERMAN, EVAN I TR        | 420010460051 | 109572     | 2016 |
| 5 SCHERMAN, AARON J TR       | 420010460101 | 109573     | 2016 |
| 6 SCHERMAN, FAMILY TR        | 420010460115 | 109577     | 2016 |
| 7 BANK OF HAWAII TRS         | 420010460171 | 109576     | 2016 |
| 8 SCHERMAN, FAMILY TR        | 420010460177 | 109578     | 2016 |
| 9 BRILHANTE, STANLEY D JR.   | 420010480004 | 111064     | 2016 |
| 10 BOSCH, THEODORA TR        | 420010500007 | 109541     | 2016 |
| 11 BRAMMER, KEVIN D TRUST    | 420010500011 | 109540     | 2016 |
| 12 LISIGNOLI, DAVID/NANCY TR | 420010540102 | 109680     | 2016 |
| 13 MEIER, KAREN K TR         | 420010540119 | 112052     | 2016 |
| 14 ROSSHILLK LLC             | 420020160030 | 109645     | 2016 |
| 15 ERCANBRACK, TRUST         | 420040380015 | 110318     | 2016 |
| 16 WARREN, ROBERT W          | 420940130000 | 109780     | 2016 |
| 17 DUDLEY, JOHN M TR         | 430100520001 | 111831     | 2016 |
| 18 FRIDOVICH, MARK A TR      | 430100520010 | 110398     | 2016 |

/s/ DONALD LAU  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

KIRK CALDWELL  
Mayor

Date: June 13, 2016  
Honolulu, Hawaii

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3  
Page 2 of 2

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 22, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: SONYA JOHNSON, 808-768-3150.

|    | <b>TAXPAYER</b>      | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|----|----------------------|--------------------|-------------------|-------------|
| 19 | GAMMON,MARGARET B    | 440120640056       | 110823            | 2016        |
| 20 | RUPNOW,ROBERT J      | 450020010023       | 110255            | 2016        |
| 21 | GRISWOLD, JEFFREY    | 450030020025       | 109979            | 2016        |
| 22 | EGAN,TIMOTHY P       | 460020330029       | 110310            | 2016        |
| 23 | LEW,PETER Y C L      | 460020390020       | 110199            | 2016        |
| 24 | VISSER,MURRAY R      | 460310160078       | 109559            | 2016        |
| 25 | MCINERNY,HARVEY H JR | 470040290044       | 109858            | 2016        |
| 26 | MANSOOR,PETER A      | 940720430000       | 110383            | 2016        |

/s/ DONALD LAU  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU



**WAHIAWA-WHITMORE VILLAGE NEIGHBORHOOD BOARD NO. 26**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA**

**MONDAY, JUNE 20, 2016**

**WAHIAWA RECREATION CENTER– HALE KOA BUILDING  
1139-A KILANI AVENUE, WAHIAWA, HAWAII 96786  
7:00 P.M.**

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**Sign-In:** All attendees are encouraged to sign-in on the NCO Sign-In Sheet.

**Rules of Speaking:** 1. Anyone wishing to speak shall do so at the microphone, by identifying themselves and addressing their comments to the Chair, and are encouraged to keep to the two (2) minutes rule. 2. Those giving reports shall also do so at the microphone, and are urged to keep their reports under three (3) minutes with presentations up to 10 minutes. 3. Please silence all electronic devices.

**NOTE:** The Board may take action on any agenda item. As required by the State Sunshine Law (HR92), specific issues not noted on this agenda cannot be voted on unless added to the agenda.

- I. OPENING CEREMONIES AT 6:55 P.M.
  - A. Pledge of Allegiance
- II. CALL TO ORDER AT 7:00 P.M.
- III. FIRST RESPONDER MONTHLY REPORTS
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
- IV. MONTHLY REPORTS [Limited to three (3) minutes each]
  - A. Board of Water Supply (Thomas Young)
  - B. Military
    1. United States Army (Captain Ramee Oppenude)
    2. United States Navy (Grace Hew Len)
- V. PRESENTATIONS
  1. Presentation:  
Update on the Wahiawa Community-Based Development Organization (WCBDO)  
Presenter: Malia Ikeda, Community Coordinator
  2. Update on Wahiawa General Hospital  
Presenter Don Olden, CEO
- VI. WHITMORE COMMUNITY ASSOCIATION
- VII. RESIDENTS' CONCERNS AND COMMUNITY ANNOUNCEMENTS  
[Please sign-in. Limited to two (2) minutes each]
- VIII. ELECTED OFFICIALS [Limited to three (3) minutes each]
  - A. Mayor Kirk Caldwell / Representative (Lori Kunioka)
  - B. Councilmember Ernie Martin / Representative (Heidi Tsuneyoshi)
  - C. Governor David Ige / Representative (Russell Suzuki, First Deputy Attorney General)
  - D. Representative Marcus Oshiro / Representative
  - E. Senator Donovan Dela Cruz / Representative (David Cho)
- IX. BOARD BUSINESS
  - A. Approval of Minutes
    1. Regular Meeting – May 16, 2016
  - B. Treasurer's Report
  - C. Chair's Report
    1. Call for Disclosure by Board Members who have Attended Meetings



2. Correspondence
- D. Committee Reports
  1. Education – Silvia Koch, Committee Chair
  2. Military – Alesia Au, Committee Chair
  3. Transportation/Oahu Metropolitan Planning Organization – Joe Francher, Committee Chair
  4. Water – Jeanne Ishikawa, Committee Chair
  5. Hawaiian Affairs – Dean Harvest, Committee Chair

X. ANNOUNCEMENTS

- A. Next Meeting: The next Wahiawa-Whitmore Village Neighborhood Board No. 26 regular meeting will be held on Monday, July 18, 2016 at 7:00 p.m. at the Wahiawa Recreation Center's Hale Koa Building
- B. Wahiawa Middle School Art Exhibit: The Wahiawa Middle School Art Exhibit will be displayed at the Wahiawa Public Library
- C. Wahiawa Public Library's Summer Reading Program: The Wahiawa Public Library's Summer Reading Program will be from Tuesday, May 31, 2016 – Saturday, July 16, 2016. For more information, contact 622-6345
- D. Computer Classes: Computer Classes will be held at Wahiawa Public Library. For more information, contact 622-6345
- E. Leilehua High School Art Exhibit: The Leilehua High School Art Exhibit will be from June 2016 to September 2016 at the Wahiawa Public Library
- F. The People's Open Market: The People's Open Market is on Tuesdays, 10:00 a.m. to 11:00 a.m. at Wahiawa District Park
- G. Knitting Group: The Knitting Group meets on Wednesdays at the Wahiawa Public Library
- H. 2nd Fridays: 2nd Fridays with Food trucks is held at the Leilehua High School parking lot
- I. Last Friday at Dot's Restaurant: Live band entertainment on the last Fridays of the month from 6:30 p.m. to 11:00 p.m. at Dot's Restaurant. Call 622-4115 for more information
- J. Family Fishing at Ho'omaluhia Botanical Garden: Family Fishing at Ho'omaluhia Botanical Garden is held on Saturdays, 10:00 a.m. to 2:00 p.m. Call 233-7323 for more information
- K. Royal Hawaiian Band: The Royal Hawaiian Band performs on Sundays, 2:00 p.m. at the Kapiolani Park Bandstand
  - a. Additional performance locations available on the city's website
- L. Movie Night at the Wahiawa Public Library: Movie Night at Wahiawa Public Library shows movies every Tuesday at 5:00 p.m. "Kid-Friendly Movies" are shown every Thursday at 6:00 p.m. and Saturday at 2:00 p.m.
- M. Fourth of July Holiday: Happy Independence Day! Please check listings for holiday schedule information

XI. ADJOURNMENT

'Olelo: Wahiawa-Whitmore Village Neighborhood Board No. 26 meetings are videotaped for re-broadcast on 'Olelo on the following dates: 1st Tuesday on Focus 49 at 9:00 p.m. and 1st and 3rd Saturdays on View 49 at 6:00 a.m.

Neighborhood Commission Office:

Neighborhood Commission Office (NCO)

Honolulu Hale 530 South King Street Room 406 Honolulu, Hawaii 96813. Telephone (808) 768-3710 or Fax (808) 768-3711 Email: [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Contact information for members of Neighborhood Boards is available through the NCO office and its website. You may contact the NCO or sign up via the NCO website to receive Board Agendas and Minutes; all Board Agendas and Minutes are available on the website. Please contact the NCO to make any changes to your information on the mailing list.

Board Agenda Items: All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov)

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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING

2016 JUN 13 PM 3:49

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 13, 2016  
Honolulu, Hawaii

Page 1 of 2

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 14, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: ARON KUBO, 808-768-7944.

| TAXPAYER                        | TAX MAP KEY  | APPEAL NO. | YEAR |
|---------------------------------|--------------|------------|------|
| 1 SAMI PACIFIC R E HOLDINGS LLC | 170040300003 | 110720     | 2016 |
| 2 MANGIALETTI,NADA R            | 210120040013 | 110098     | 2016 |
| 3 2010 ROBERT L CASSELL TR      | 210120040448 | 104296     | 2015 |
| 4 GONZALEZ,CARMEN M             | 210120040483 | 109982     | 2016 |
| 5 MURPHY,JAMES B                | 210120040490 | 103476     | 2015 |
| 6 YOUNG,CORA J TR               | 210120040507 | 103359     | 2015 |
| 7 WATERFRONT A LLC              | 210290010000 | 111915     | 2016 |
| 8 WATERFRONT A LLC              | 210290020000 | 111919     | 2016 |
| 9 LO'S PARTNER TR               | 210490190000 | 110338     | 2016 |
| 10 AMERCO REAL ESTATE CO        | 230030590000 | 110415     | 2016 |
| 11 PAN AM I, LLC                | 230220570000 | 111913     | 2016 |
| 12 P H (HAWAII) CORP            | 230390050000 | 110337     | 2016 |
| 13 P H HAWAII CORP              | 230390060000 | 110334     | 2016 |
| 14 91-051 LAULIMA LLC           | 910260570000 | 110422     | 2016 |
| 15 KAPOLEI RETAIL LLC           | 920430010001 | 111907     | 2016 |
| 16 KAPOLEI RETAIL LLC           | 920430010002 | 111910     | 2016 |
| 17 KAPOLEI RETAIL LLC           | 920430010003 | 111912     | 2016 |
| 18 KAPOLEI RETAIL LLC           | 920430010004 | 111918     | 2016 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 13, 2016  
Honolulu, Hawaii

Page 2 of 2

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|    | <b>TAXPAYER</b>    | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|----|--------------------|--------------------|-------------------|-------------|
| 19 | KAPOLEI RETAIL LLC | 920430010005       | 111921            | 2016        |
| 20 | KAPOLEI RETAIL LLC | 920430010006       | 111924            | 2016        |
| 21 | KAPOLEI RETAIL LLC | 920430010007       | 111927            | 2016        |
| 22 | KAPOLEI RETAIL LLC | 920430010008       | 111930            | 2016        |
| 23 | KAPOLEI RETAIL LLC | 920430010009       | 111932            | 2016        |
| 24 | CPG PARTNERS, L.P. | 940070500000       | 110435            | 2016        |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING

2016 JUN 13 PM 3:49

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
Donald Lau, Vice-Chair, Board 2  
Lee Gordon, Chair, Board 3

Date: June 13, 2016  
Honolulu, Hawaii

Page 1 of 1

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 15, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: MATTHEW PETERSON, 808-768-7958.

| TAXPAYER                 | TAX MAP KEY  | APPEAL NO. | YEAR |
|--------------------------|--------------|------------|------|
| 1 LOOK, CHRISTIAN W      | 180300280000 | 111925     | 2016 |
| 2 HALL, ROBERT L         | 180340180000 | 109551     | 2016 |
| 3 CHAPPEL, NATASHA       | 220100140010 | 109715     | 2016 |
| 4 HORI, NICOLE K         | 220310670000 | 111099     | 2016 |
| 5 DANG, TRICIA W S       | 220350360000 | 111872     | 2016 |
| 6 AMJADI, DARIUS H       | 250050310000 | 110404     | 2016 |
| 7 BUNN, ANDREW TR        | 250090070003 | 110569     | 2016 |
| 8 KOBASHIGAWA, BENTON T  | 290290630000 | 109515     | 2016 |
| 9 EHLKE TR               | 290300290000 | 109994     | 2016 |
| 10 NOHARA, CLIFFORD Y    | 290300340000 | 110046     | 2016 |
| 11 QUAN, SOPHIA          | 290300490001 | 111821     | 2016 |
| 12 CARUSO, JUSTIN W      | 290310060000 | 109586     | 2016 |
| 13 ROWLAND, ALAN W TRUST | 290310090000 | 109533     | 2016 |
| 14 LEE, HILDA F TRUST    | 290310130000 | 110350     | 2016 |
| 15 YIM, MARIO            | 290320550000 | 110336     | 2016 |
| 16 PANIGUTTI, RAYMOND J  | 290580050002 | 109761     | 2016 |

/s/ DONALD LAU  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU



DEPARTMENT OF EMERGENCY MANAGEMENT  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 723-8960 • FAX: (808) 524-3439

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2016 JUN 13 AM 8:26

KIRK CALDWELL  
MAYOR



MELVIN N. KAKU  
DIRECTOR

PETER J.S. HIRAI  
DEPUTY DIRECTOR

June 13, 2016

### NOTICE OF MEETING

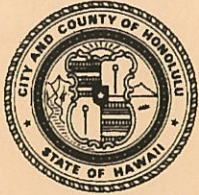
Notice is hereby given that a meeting of the Honolulu Local Emergency Planning Committee (LEPC) will be held on Tuesday, June 21, 2016 from 9:00 A.M. – 11:00 A.M. in the Department of Emergency Management (DEM), Basement of the Frank F. Fasi Municipal Building, 650 South King Street.

### AGENDA

1. Call Meeting to Order
  - Welcomes, Opening Remarks and Introductions
  - Approve the meeting minutes of March 2016
2. Old Business
  - LEPC Budget Report, 4<sup>th</sup> Quarter FY 2016
3. New Business
  - HSERC Update, EPA Update, K.L.E.A.N. Update and Other Participants Updates
  - Past HAZMAT Responses / Exercises / Training (e.g. HFD, USCG etc.)
  - Special Presentations:
    - National Association of SARA Title Three Program Officials (NASTTPO) – 2016 Workshop Report
    - Hawaii / Honolulu Ammonia Safety Day
    - 2016 Hurricane Season Outlook
  - Future Training / Community Outreach Opportunities
    - July (Aiea) and September (Ewa Beach)
4. Other Business / Open Discussion
  - Call to the Public
5. Next Scheduled LEPC Meeting
  - 20 September 2016
6. Adjournment

The general public is invited to attend. Persons requiring special assistance, auxiliary aid and / or service (i.e. sign language interpreter, interpreter for language other than English or wheelchair accessibility) to participate in this meeting please contact Robert H-H Harter at 808-723-8960 or email your request to [rharter@honolulu.gov](mailto:rharter@honolulu.gov) at least five (5) business days prior to the meeting. This meeting is informal and written testimony is not required.





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON ZONING AND PLANNING

### Voting Members:

Ikaika Anderson, Chair  
Trevor Ozawa, Vice Chair  
Carol Fukunaga  
Ann H. Kobayashi  
Joey Manahan

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
THURSDAY, JUNE 16, 2016  
9:00 AM

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2016 JUN -9 PM 4:36

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 9:00 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out the registration form in person; or
- By calling 768-3818.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker limited to a **one-minute** presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3818 or send an email to [gmurayama@honolulu.gov](mailto:gmurayama@honolulu.gov) at least three days prior to the meeting date.

The meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publish id=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.



**FOR APPROVAL**

MINUTES OF THE MAY 19, 2016 COMMITTEE ON ZONING AND PLANNING  
MEETING

**FOR ACTION**

1. **RESOLUTION 16-108 – APPOINTEES TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.** Recommending the appointment of nominees to serve as the small business or nonprofit representative for the Heeia Community Development District of the Hawaii Community Development Authority.

Related communication:

M-1273 David Y. Ige, Governor, State of Hawaii, requesting a list of recommendations to the Hawaii Community Development Authority (Heeia District).

2. **RESOLUTION 16-113 – REAPPOINTMENT OF KAIULANI K. SODARO TO THE PLANNING COMMISSION.** Confirming the reappointment of Kaiulani K. Sodaro to the Planning Commission for a term expiring on June 30, 2021. (Transmitted by Communication MM-39) (Public hearing held 6/1/16)
3. **RESOLUTION 16-130 – SMP FOR FLOOD MITIGATION MEASURES, THE RESTORATION OF PUNALUU STREAM, AND THE ENHANCEMENT OF THE SURROUNDING ECOSYSTEM (2016/SMA-2).** Granting a Special Management Area Use Permit (SMP) to provide flood mitigation measures, restore Punaluu Stream, and enhance the surrounding ecosystem, located in the Punaluu watershed, Punaluu, Oahu, and identified by Tax Map Keys 5-3-1: 41 and 52, and 5-3-3: 1. (Applicant: Trustees of the Estate of Bernice Pauahi Bishop-Kamehameha Schools) (Transmitted by Communication D-325) (Current deadline for Council action: 7/9/16)
4. **BILL 27 (2016), CD1 – INCENTIVES FOR ACCESSORY DWELLING UNITS PRODUCTION.** Temporarily exempting accessory dwelling units, as defined in Section 21-10.1, from certain fees and to permanently exempt accessory dwelling units from the requirement to provide or dedicate land for park and playground purposes. (Bill 27, CD1 passed second reading and public hearing held 5/4/16)



Committee on Zoning and Planning Agenda  
Thursday, June 16, 2016

PROPOSED CD2 TO BILL 27 (2016), CD1 (Submitted by Council Chair Martin) -  
The CD2 (OCS2016-0611/6/8/2016 2:01 PM) makes the following amendments:

- A. Capitalizes the word "and" in the title.
  - B. Deletes subsection (a) from the new Sec. 18.5.\_\_\_\_.
  - C. Consolidates subsections (b) and (c) into a new subsection (a) that combines all provisions and provides for a cumulative 60 calendar day deadline, and re-alphabetizes subsequent subsections. Failure to act on all provisions within that timeframe will result in the permit being deemed approved.
  - D. Deletes repeal language in SECTION 2, SECTION 3, and SECTION 5 of the bill.
  - E. Deletes SECTION 7 of the bill (regarding severability) and renumbers subsequent sections.
  - F. Makes miscellaneous technical and non-substantive amendments.
5. **BILL 39 (2016) – WAIMANALO ZONE CHANGE (2015/Z-4).** Amending Zoning Map No. 24 (Waimanalo), Ordinance 86-125, by rezoning approximately 8.253 acres situated at Waimanalo, Oahu, Hawaii from AG-1 Restricted Agricultural District to AG-2 General Agricultural District. TMK: 4-1-024: 033 and 118. (Applicant: Kole Group, LLC) (Transmitted by Communication D-369; Bill 39 passed first reading 6/1/16) (Current deadline for Council action: 8/23/16)
6. **BILL 62 (2015), CD1 – EWA ZONE CHANGE (2015/Z-1).** Rezoning land situated at Ewa, Oahu, Hawaii from BMX-3 Community Business Mixed Use District with a height limit of 60 feet, I-3 Waterfront Industrial district with a height limit of 60 feet, Resort District with a height lime of 90 feet, and P-2 General Preservation District to the A-2 Medium-density Apartment District with a height limit of 60-feet, B-1 Neighborhood Business district, BMX-3 Community Business mixed Use District with a height limit of 60 feet, IMX-1 Industrial-Commercial Mixed use District with a height limit of 60 feet, Resort District with a height limit of 90 feet, and P-2 General Preservation District. TMK: 9-1-134; 27 and portions of 22, 28, and 29. (Applicant: Haseko (Ewa), Inc.) (Bill 62 passed second reading and public hearing held 4/20/16) (Current deadline for Council action: 9/15/16)



Committee on Zoning and Planning Agenda  
Thursday, June 16, 2016

PROPOSED CD2 TO BILL 62 (2015), CD1 (Submitted by Councilmember Anderson – The CD2 (OCS2016-0620/6/9/2016 4:09 PM) makes the following amendments:

- A. Corrects the TMK references for the parcels affected by the zone change in the text of the Bill and the map attached as Exhibit A to reflect proper TMK numbers pursuant to further subdivision of certain parcels.
- B. Specifies the ordinance numbers for amendments made to the unilateral agreement conditions of Ordinance 93-94.
- C. Makes miscellaneous technical and non-substantive amendments.

PROPOSED UNILATERAL AGREEMENT – The proposed U/A (draft dated 4/14/16 to be attached as “Exhibit B” to the Bill after execution and recordation.

Related communications:

CC-164 Councilmember Anderson, submitting proposed amendments to Unilateral Agreement for Bill 62 (2015), CD1.

CC-165 Councilmember Pine, submitting proposed amendments to Unilateral Agreement for Bill 62 (2015), CD1.

- 7. **BILL 63 (2015) – EWA SMA BOUNDARY AMENDMENT.** Amending the boundaries of the Special Management Area map for the Ewa area to reflect the proposed development of an enclosed lagoon rather than a marina with direct access to the Pacific Ocean. (Bill 63 passed second reading and public hearing held 4/20/16)
- 8. **RESOLUTION 15-206 – SMP AND SV FOR THE HOAKALEI MASTER PLAN UPDATE IMPROVEMENTS PROJECT (2015/SMA-12 AND 2015/SV-2).** Granting a Special Management Area Use Permit (SMP) a Shoreline Setback Variance (SV) for the construction of landscaping including a pedestrian pathway, multi-use spaces, covered pavilions, viewing platforms, boardwalks, at least one comfort station, benches, picnic tables, interpretive signage, storm water infrastructure (including a retention pond or water quality lake), a lagoon overflow swale, and improvements within the 60-foot shoreline setback area. (Applicant: Haseko [Ewa], Inc.) (Transmitted by Communication D-488 [15] ) Current deadline for Council action: 8/24/16)



Committee on Zoning and Planning Agenda  
Thursday, June 16, 2016

9. **RESOLUTION 16-155 – PD-R TO CONSTRUCT TWO 39-STORY CONDO-HOTEL TOWERS (2016/SDD-19).** Approving a conceptual plan for a planned development-resort (PD-R) project for the redevelopment of 4.05 acres with mixed use retail, hotel and residential project in Waikiki, Oahu. (Applicant: PACREP LLC AND PACREP 2 LLC) (Transmitted by Communication D-395) (Current deadline for Council action: 8/7/16)

#### **INFORMATIONAL BRIEFING**

10. **UPDATE BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND PERMITTING ON THE STATUS OF BUILDING PERMIT PROCESSING.**
11. **UPDATE BY THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND PERMITTING REGARDING THE STATUS OF ALL PENDING LAND USE ORDINANCE (LUO) AMENDMENTS AND DEVELOPMENT PLAN AND SUSTAINABLE COMMUNITIES PLAN REVISION BILLS.**

A handwritten signature in black ink, appearing to read 'I. Anderson', with a stylized flourish at the end.

IKAIKA ANDERSON, Chair  
Committee on Zoning and Planning





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON BUDGET

### Voting Members:

Ann H. Kobayashi, Chair  
Joey Manahan, Vice Chair  
Carol Fukunaga  
Trevor Ozawa  
Kymberly Marcos Pine

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
WEDNESDAY, JUNE 15, 2016  
9:00 A.M.

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C & C OF HONOLULU  
2016 JUN -9 PM 4:31

### SPEAKER REGISTRATION:

Persons wishing to testify are requested to register by 9 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
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Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

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### WRITTEN TESTIMONY:

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\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3801 or send an email to [guehara@honolulu.gov](mailto:guehara@honolulu.gov) at least three working days prior to the meeting.

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**FOR APPROVAL**

MINUTES OF THE MAY 10, 2016 SPECIAL MEETING  
MINUTES OF THE MAY 18, 2016 REGULAR MEETING

**FOR ACTION**

1. **RESOLUTION 16-156 - INTERGOVERNMENTAL AGREEMENT (IGA) WITH HAWAII HOUSING FINANCE AND DEVELOPMENT CORPORATION (HHFDC).** Authorizing the Mayor or the Mayor's Designee to apply for, and, if approved, accept, and expend funds from the HHFDC for the National Housing Trust Fund (NHTF) Program and enter into an IGA with HHFDC for said funds. (Transmitted by **Communication D-398**)
2. **RESOLUTION 16-157 – APPROVING PROPOSED AMENDED CONSOLIDATED PLAN FOR PROGRAM YEARS 2016 – 2020.** Approving the City and County of Honolulu's Proposed Amended Consolidated Plan for Program Years 2016-2020 in compliance with Chapter 1, Article 8.3(a), Revised Ordinances of Honolulu. (Transmitted by **Communication D-399**)
3. **BILL 34 (2016), CD1 – USE OF PUBLIC SCHOOL LANDS.** Facilitating the State Department of Education's use of existing public school lands owned by the City and County of Honolulu. (Bill 34 (2016), CD1 passed second reading and public hearing on 6/1/16)
4. **BILL 35 (2016) - REAL PROPERTY TAX CREDIT FOR LOW INCOME HOMEOWNERS.** Modifying the requirements regarding the real property tax credit for low-income homeowners. (Bill 35 (2016) passed second reading and public hearing on 6/1/16)



5. **BILL 36 (2016), CD1 – PRIVATE TRANSPORTATION SERVICES AND DRIVERS.** Establishing regulations applicable to private transportation services drivers, including creation of a central database of information pertaining to drivers of private transportation services (including both taxicab companies and transportation network companies), to ensure the health and well-being of their passengers and that the drivers operate in a safe manner. (Bill 36 (2016), CD1 passed second reading and public hearing on 6/1/16)

Related communication:

**CC-163** Councilmember Ann H. Kobayashi, Budget Chair, transmitting a proposed CD2 for Bill 36, CD1 (2016), relating to Private Transportation Services and Drivers, including the tracked changes for your consideration.

6. **BILL 61 (2015), CD1 – INDUSTRIAL LANDS.** Preserving and promoting industrial uses within areas designated as transit-oriented development zones. One direct means of promoting industrial uses in such areas is through modifications to the real property tax valuations of such uses. (Bill 61 (2015) passed second reading and public hearing on 2/17/16)

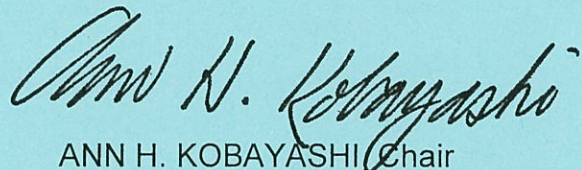
**PROPOSED CD2 TO BILL 61 (2015), CD1** (Submitted by Councilmember Fukunaga) - The CD2 (OCS2016-0524/5/12/2016 4:13 PM) makes the following amendments:

- A. Amends the vehicle of real property tax relief from a five year dedication to an exemption.
- B. Amends the area of effect of the bill to include the entire area known as Central Kakaako and replaces Exhibit 1 with a new map of corresponding area.
- C. Adds the requirement that industrial real property be certified by the Hawaii Community Development Authority that the property limited to a floor area ratio of 1.5 per Section 15-217-57, Hawaii Administrative Rules.
- D. Makes miscellaneous technical and nonsubstantive amendments.



Committee on Budget Agenda  
Wednesday, June 15, 2016

7. **BILL 38 (2016) – KAPALAMA HALE PARKING FACILITY.** Including the Kapalama Hale Parking Facility in Section 15-16.5, Revised Ordinances of Honolulu 1990. (Transmitted by Communication D-365; Bill 38 (2016) passed first reading on 6/1/16)

A handwritten signature in black ink, reading "Ann H. Kobayashi". The signature is written in a cursive, flowing style.

ANN H. KOBAYASHI Chair  
Committee on Budget

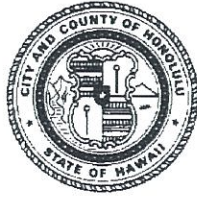


2015-2016  
CHARTER COMMISSION  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

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#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

FRIDAY, JUNE 17, 2016  
3:30 P.M.  
COMMITTEE MEETING ROOM 205  
HONOLULU HALE

#### AGENDA

I. CALL TO ORDER

Roll Call

II. DISCUSSION AND ACTION

Deliberation and decision-making on the Report of the Style Committee meeting of May 16, 2016. See Attachments 1 and 2.

III. DISCUSSION AND ACTION

Discussion and action on the Report on the Findings and Recommendations by the Permitted Interaction Group established to review proposals relating to Use and Development of City Resources pursuant to Hawaii Revised Statutes §92-2.5(b). See Attachment 3.

IV. DISCUSSION AND ACTION

Deliberation and decision-making on Proposal No. 81 to establish a dimensional zoning variance, with criteria based on practical difficulties, rather than relying on unnecessary hardship as the exclusive grounds for granting a variance to the Land Use Ordinance. See Attachment 4.

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## V. DISCUSSION AND ACTION

Deliberation and decision-making on Proposal No. 80 to allow delegation of Mayor's authority to sign documents requiring execution by the City unless otherwise provided by charter, ordinance or resolution. See Attachment 5.

## VI. DISCUSSION AND ACTION

Discussion and action on the City agency review and legal review of Proposals 48, 73, 86, and 104 tentatively approved by the Charter Commission on April 29, 2016. See Attachment 6.

The Commission anticipates convening an Executive Session closed to the public pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult with its attorneys on questions and issues relating to their legal analysis and recommendations for the Charter proposals identified and described in Attachment 6.

## VII. EXECUTIVE SESSION

The Commission anticipates going into Executive Session pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult in a closed meeting with the attorneys for the Commission on questions and issues pertaining to Hawaii Revised Statutes §92-7 and related Office of Information Practices opinions regarding Sunshine Law agenda requirements.

## VIII. ANNOUNCEMENTS

Next meeting date.

## IX. ADJOURNMENT

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- a. By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to three minutes per agenda item.

## WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission.

If submitted, written testimony, including the testifier's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

## OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

## ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

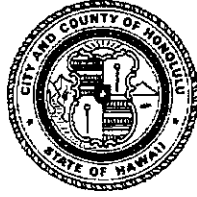
## ATTACHMENT 1

2015-2016  
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### VOTING MEMBERS

Donna Ikeda, Chair  
Paul T. Oshiro, Vice Chair  
Guy K. Fujimura  
Nathan T. Okubo  
R. Brian Tsujimura

### NONVOTING MEMBERS

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Governor John D. Waihee III  
Pamela Witty-Oakland

June 2, 2016

Committee on Style Report 3  
Re: Proposals No. 39, 54, 120, C-1, and C-2.

Chair David Rae,

Your Committee on Style, to which was referred Proposals No. 39, 54, 120, C-1, and C-2, begs leave to report as follows:

Your Committee:

1. Amended the language relating to salaries for attorneys working for the Ethics Commission in Proposal 39 by:
  - a) Moving the term "comparable" from modifying "salaries" to modifying "attorneys" in the new language added to the second paragraph; and
  - b) Fixing a typographical error.
2. Amended the language in Proposal C-1, relating to the removal of the Chief of Police by the Police Commission, by:
  - a) Allowing the removal or suspension of the Chief of Police by the Police Commission for any reason;
  - b) Removing the phrase "for the sole purpose" in the draft Proposal for section 6-1603, 2(d); and
  - c) Clarifying that the prerequisites for removal also apply to suspensions.
3. Amended the language in Proposal C-2, extending the powers of the Police Commission, by
  - a) Clarifying the authority of the Police Commission to issue subpoenas and require the attendance of witnesses and production of evidence; and
  - b) Replacing "must" with "shall" in subsection (e).

June 17, 2016, Charter Commission Meeting

## **ATTACHMENT 1**

4. Deferred Proposals 54 and 120 to the next Style meeting.

The proposals as amended by the Committee on Style are contained in the Attachment.

As affirmed by the record of votes of the members of the Committee in Style, your Committee has approved Proposals No. 39, 54, C-1, and C-2, as amended, and is returning them to the full Commission for further consideration.

Respectfully submitted on behalf of the  
members of the Committee on Style,

---

Donna Ikeda, Chair

## ATTACHMENT 2

### #39 Paul Oshiro; amended by the Commission; amended by Style Committee

#### Section 11-107. Ethics Commission --

There shall be within the department of the corporation counsel for administrative purposes only an ethics commission which shall consist of seven members. The commission shall be governed by the provisions of Section 13-103 of this charter. In accordance with the prohibition in Article XIV of the Constitution of the State of Hawaii, the members of the ethics commission shall be prohibited from taking an active part in political management or in political campaigns.

The commission may appoint such staff and engage consultants as is necessary to assist it in the performance of its duties. Such staff and consultations may include attorneys who may advise the commission independently of the department of the corporation counsel. All staff positions shall be exempt from the provisions of Chapter 11 of Article VI of this charter, but such staff positions, except the position of executive director and staff attorneys, shall be included in the position classification plan. The executive director shall be an attorney qualified to practice law in the State of Hawaii. The salary of the executive director shall be [fixed by ordinance] set by the ethics commission within an excluded managerial compensation plan applicable to city and county employees. The salary of staff attorneys shall be set by the ethics commission; provided that salaries of staff attorneys shall not be more than salaries of comparable attorneys in the department of corporation counsel.

The commission is authorized to hold hearings and to conduct investigations concerning the application of this article of the charter and shall have the powers provided in Section 13-114 of this charter.

The commission may, on its own initiative, render advisory opinions with respect to this article of the charter. An advisory opinion shall be rendered pursuant to a written request of any elected or appointed officer or employee concerned and may be rendered pursuant to the request of any person. The commission shall publish its advisory opinions with such deletions as may be necessary to prevent disclosure of the identity of the persons involved.

The commission may impose civil fines established by ordinance against elected and appointed officers and employees of the city with significant discretionary or fiscal power as determined by ordinance, found by the commission to have violated the standards of conduct established by this article of the charter or by ordinance. The commission shall recommend appropriate disciplinary action against officers and employees found to have violated the standards of conduct established by this article of the charter or by ordinance. The appointing authority shall promptly notify the commission of the action taken on the recommendation.

## #C-1 As amended by Style Committee May 16, 2016

### Section 6-1603. Chief of Police

- The Chief of Police shall serve at the pleasure of the City and shall not attain any property interest in the position of Chief of Police. The Police Commission may remove the Chief of Police at any time prior to the expiration of a five-year appointment.<sup>1</sup>
- Change the criteria in Section 3. Remove the term “Gross or continuous maladministration” as a cause sufficient for removal.
- Replace with criteria from Missouri Revised Statutes: The Chief of Police can be terminated or suspended for any of the following reasons, including but not limited to:
  1. The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
  2. The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
  3. The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
  4. The chief has acted in a manner for the sole purpose of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief’s governing body.<sup>2</sup>

This would give the Police Commission the authority to suspend the Chief of Police.

### **Section 6-1603. Chief of Police —**

1. The chief of police shall be appointed by the police commission for a term of five years. The chief shall serve at the pleasure of the police commission and shall not attain any property interest in the position of chief of police. The police commission may remove or suspend the chief of police at any time prior to the expiration of the five year appointment. The chief shall have had a minimum of five years of training and experience in law enforcement work, at least three years of which shall have been in a responsible administrative capacity. The chief shall not serve beyond the expiration of a term unless appointed again by the police commission. If desiring to do so, the police commission may appoint an incumbent chief to a new term without first engaging in an applicant solicitation and selection process.

2. Before the expiration of a term to which appointed, the chief may be removed or suspended by the police commission ~~[only for cause]~~ for any reason. Such reasons may include but are not limited to:

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<sup>1</sup> Based upon Los Angeles City Charter Sec. 575 – Appointment and Removal of the Chief of Police with modifications

<sup>2</sup> Missouri Revised Statutes – Section 84.490.1



- a) The chief has committed any act, while engaged in the performance of his or her duties, that constitutes a reckless disregard for the safety of the public or another law enforcement officer;
- b) The chief has caused a material fact to be misrepresented for any improper or unlawful purpose;
- c) The chief is unable to perform his or her duties with reasonable competence or reasonable safety because of a mental condition, including alcohol or substance abuse.
- d) The chief has acted in a manner for of furthering his or her self-interest or in a manner inconsistent with the interest of the public or the chief's governing body.

As prerequisites to removal or suspension, the chief shall be given a written statement of the [charge] reasons for removal or suspension and an opportunity for a hearing before the police commission.

~~3. [Gross or continuous maladministration shall be a cause sufficient for removal of the chief. Before removing the chief for such cause, the commission shall give the chief written notice of and a reasonable period to cure the gross or continuous maladministration. If the gross or continuous maladministration is not cured to the commission's satisfaction within the period given, the commission may proceed to remove the chief in accordance with subsection 2.]~~

This subsection shall not be construed as:

- ~~(a) Making gross or continuous maladministration the only cause sufficient for removal of a chief; or~~
- ~~(b) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.~~
- ~~(c) Requiring the commission to give the notice and opportunity for cure specified under this subsection when removing a chief for a cause other than gross or continuous maladministration.]~~

## **#C-2 As Amended by Style Committee May 16, 2016.**

### **Section 6-1606. Powers, Duties and Functions (of Police Commission)**

- Amending Section (d) by giving the Police Commission the power to subpoena and require the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law.<sup>3</sup> The Police Commission can make recommendations concerning allegations of officer misconduct to the Chief of Police and the Chief must respond to the Police Commission with his or her decision on the recommendation in writing. *Currently, the Chief is not required to respond to the Police Commission concerning their recommendations.*

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<sup>3</sup> City of Long Beach California City Charter – Citizen Police Complaint Commission

- The Police Commission investigations should provide an objective analysis of complaints filed by citizens to ensure compliance with policy and procedure, best practices and the law.<sup>4</sup>

#### **Section 6-1606. Powers, Duties and Functions --**

The police commission shall:

- (a) Adopt such rules as it may consider necessary for the conduct of its business and review rules and regulations for the administration of the department.
- (b) Review the annual budget prepared by the chief of police and may make recommendations thereon to the mayor.
- (c) Submit an annual report to the mayor and the city council.
- (d) Receive, consider and investigate charges brought by the public against the conduct of the department or any of its members.
- (e) The police commission may issue subpoenas and require the attendance of witnesses and the production of evidence pertinent to the investigation and administer oaths to such witnesses to the extent permissible by law. [and]
- (f) Submit a written report of its findings to the chief of police. If the chief of police disagrees with the findings of the police commission, the chief shall submit the reasons in writing to the police commission. A summary of the charges filed and their disposition shall be included in the annual report of the commission.
- (g) Review and, if deemed necessary, make recommendations on the five-year plan and any update of goals and objectives for the police department which is submitted by the chief of police. The commission shall not have the power to approve, modify, or reject the plan or any update.
- (h) Compare at least annually the actual achievements of the police department against the goals and objectives in the five-year plan or latest update submitted by the chief.
- (i) Evaluate at least annually the performance of duties by the chief of police.

Except for purposes of inquiry or as otherwise provided in this charter, neither the commission nor its members shall interfere in any way with the administrative affairs of the department.

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<sup>4</sup> Fresno Office of Independent Review

**Report of the  
Permitted Interaction Group  
on Proposals Relating to the  
Use and Development of City Resources  
June 2, 2016**

**Members:**

**Cheryl Soon, Chair**

**Reginald Castanares**

**Kevin Mulligan**

**Nathan Okubo**

## ATTACHMENT 3

### REPORT OF THE

#### USE AND DEVELOPMENT OF CITY RESOURCES PERMITTED INTERACTION GROUP

The Honolulu Charter Review Commission formed a Permitted Interaction Group on March 17, 2016 for the purpose of investigating proposals for the use and development of city resources. This report describes the investigations undertaken and respectfully provides recommendations for discussion and consideration by the Charter Commission.

Members: Cheryl Soon, Reggie Castanares, Kevin Mulligan, Nathan Okubo

#### Background

Two proposals formed the initial basis for investigation.

- Proposal 51 (Soon) would add duties to the Department of Enterprise Services to provide authority to negotiate with non-City entities to use City land and facilities in intergovernmental and private agreements including but not limited to air rights, joint development and management of services. The objective was to create a climate of stimulation and vibrancy in and around public spaces.
- Proposal 61 (Rae) would create a new department to initiate, negotiate, and implement partnerships with other governmental entities, NGOs or private parties that address areas of municipal need. Examples include joint development of city owned property including parks, municipal buildings and areas around transit stations; negotiation of adjacent properties for common amenities, intergovernmental partnerships, public private partnerships, programs for climate change adaptation, sustainability initiatives, functional plans, jobs and economic development, affordable housing, prevention of homelessness. Includes a Partnership “Enterprise Funds; Climate Change Council; and any Advisory Committee deemed valuable.

Administration testified in support of Proposal 51, but asked that it be a new department (approach taken in Proposal 61) rather than assignment to Department of Enterprise Services. Written testimonies cautioned against using a “PLDC” style approach, although this was not defined.

#### Discussion and Consultation

The City & County owns hundreds of acres of land in all parts of the island. It can be challenging to keep up with the protection and maintenance of these lands to ensure their upkeep. Responsibilities now fall in a scattered fashion among multiple parties with uneven expertise and resources. Too often, protection occurs only after damage and misuse is called to the attention of city officials.

### ATTACHMENT 3

Furthermore, there is a need to ensure that the public interest for these lands is identified, advocated and protected. At times the public interest will be to protect the natural state of the environment. At other times, the public interest may be to ensure open public spaces in an otherwise crowded city. Still more, at times, the public interest may be to work with others on a use that enhances said property through development and revenue generation. No one definition of public interest pertains to all city owned properties.

Whether the protection of the public interest includes preservation, maintenance, and/or development there is a need for a unit that is dedicated to preserving and enhancing city lands that is endowed with the dedicated expertise and resources that are now lacking.

A review of Proposals 51 and 61 finds that both proposals are rooted in the same value of proper use and protection of city lands for the public benefit. Due to the complexity of these proposals an effort was made to see whether they could be melded into a single proposal for consideration. The “melded proposal” looked at having a new Department of Land Preservation and Enhancement with the following key features:

- Three divisions: Land Management & Development; Community Benefits & Stimulus; and TOD/Joint Development.
- The new Land Preservation and Enhancement Department would consolidate land management functions of the City that are now distributed among multiple agencies.
- It would reduce silos and create efficiency by bringing together various parts of transactions in a coordinated fashion.
- It would centralize expertise for land management and disposition.
- It would clarify roles between the executive and legislative branches, leaving all final disposition decisions to the Council.
- All activities would remain subject to environmental laws. Public consultation would be required.
- Revenue generation would come from creating value from City-owned properties and dispersal of such revenues would be the purview of Council through the General Fund.

The Mayor’s office and Councilmembers were consulted. Also, environmental interests and developer interests were queried as to their reaction to said proposal.

The Mayor’s office reported that land management responsibilities are not clearly located in any single department, and risk falling between the cracks. Without greater coordination and a wider expertise, it is difficult to manage land, negotiate land deals and even to identify or control illegal activities (such as dumping, cockfights, squatting).

As an example, last year the Council placed money in the budget to purchase lands for a park at Turtle Bay. To accomplish this required coordination and negotiation by the Mayor’s office, advice from bond counsel through BFS, survey work through DDC, vendor opportunity analysis from DES, user requirements from Parks, conservation easement analysis from COR, and the determination of impacts on existing Unilateral Agreements (UA) from DPP.

### ATTACHMENT 3

With the exception of bond counsel advice, all of these skill sets could be lodged in the newly proposed entity for Central Land Services. They could be done more quickly, efficiently, and with a focus on the city interest.

Land transactions (including acquisition, lease, license, permit, sale or concession) are complex and as the Turtle Bay example shows, can go through several agencies in step wise fashion, which takes time and is difficult for private parties to navigate. Examples of expertise desired are: local real estate knowledge, appraisal, land title research, land inventory, investment analysis, and especially negotiation skills. Examples of how these skills and expertise would be used include:

- Negotiations of city interests under the Clean Water and Natural Land Fund
- Identification of and Negotiations for community benefits under Unilateral Agreements.
- Opportunities for partnership to develop homeless facilities or affordable housing beyond the current grant system
- Opportunities to improve city parks or offices through public private partnerships (3P)
- City/State partnerships to jointly develop sites that would enhance transit ridership.

The Mayor's office offered alternate language for a new department to manage, develop, and dispose of land assets of the City.

Councilmembers contacted concerns regarding creation of a new department. The Mayor may already have the discretion, without a charter amendment to consolidate these activities as a single Office within the Mayor's Office, similar to Office of Economic Development. Formation of an entirely new department might be pre-mature, too big a leap and could start first as an Office. A major concern is the growing of government by forming a new department. Finally, there was a concern that the types of skills required were not appropriate to a civil service type position, and were better administered through a personal services contract.

#### Further Investigation

The PIG discussed these important questions:

- 1) How could Property Preservation and Management of city owned lands be improved?

With regards to property management, it was found that positions with explicit real property management are needed. Training in modern management practices is required, and dedicated manpower is need for this function. Land preservation and management would benefit from a single point of responsibility rather than dispersed to staff who have multiple and diverse responsibilities.



## ATTACHMENT 3

At the state level, land management functions are primarily handled by one agency on behalf of others, and that agency is DLNR. DOE and DHHL, which have their independent decision-making Boards, handle their own land functions. But there is no single land entity in the City. The Department of Facility Management is responsible for buildings, not land.

If no changes are made, the status quo will continue. Preservation and management issues would be addressed not as they first arise, but rather when problems arise to an extent that they demand attention, coming to attention because of the media or concerned citizens.

2) What types of Property Preservation and Enhancement opportunities are likely to emerge in the next several years and how would city interests be identified and incorporated?

With regards to Property Enhancement, development and making improvements are now a function of the agency owning the facility. Any proposals for development or alternate use of the asset come through the normal capital budget process, planning and project proposals. Design and construction is assigned to Department of Design and Construction (DDC) and there is little partnering with private developers as a partner.

The types of roles and responsibilities needed by a preservation/enhancement entity include:

- Understanding land preservation, protection from invasive species, and erosion control
- Understanding land management techniques whether due to damage by weather, feral animals, or illegal uses by humans
- Understanding cultural sites and protection mechanisms
- Identify potential areas for city lands that may have revenue generation potential and identify the city interest thereof
- Land assembly and Site Control
- Land trusts and partnerships for land protection
- The ability to target investments and make sure investments respond to market cycles and conditions
- Leverage city resources to align with programs of others
- Loan guarantees and access to capital
- Direct development participation in projects
- Limited acquisition and banking of property

If no changes are made, land may be damaged and not restored and opportunities to make investments in lands either because of their legacy or cultural value, would continue to come through and be managed by someone in the Mayor's office. There would be limited expertise built up or continuity of ensuring City interests.

## ATTACHMENT 3

### 3) What would happen if we do nothing? How would things be handled?

The PIG was particularly concerned about Transit Oriented Development, and the extent to which the City could or should be a more active player in raising revenues from City lands to help defray mounting costs of the transit system. The current TOD function resides in DPP and so far has focused on station area TOD planning, regulation, and encouraging catalytic projects by others.

The PIG concern was how to build on this effort and best position the city to be a partner in TOD on city owned parcels. It was felt that the enhancement/development function is diametrically different than the land use regulation function conducted by DPP and was unlikely to emerge from that location.

Other cities are showing the way. This means Honolulu can conduct peer learning and information sharing. Research was done for other transit properties and we find in most instances that there is a robust revenue generating TOD program in place. Other rail properties have staff capacity with real estate expertise, and investment and revenue sharing models. A sampling of programs includes:

- Metro Rail and City of Seattle takes as their focus that for TOD to happen, the City must Cultivate (infrastructure, developing partnerships, leveraging resources), Catalyze (tax incentives for providing amenities), and Grow (invest in equity, infrastructure, and services for higher densities). Their strategic action plan looks for creating partnerships, investing in catalytic projects. Strong community, agency and PPP are fostered.
- Metro Light Rail and the City of Minneapolis sought to foster innovation through a TOD Manager who is a matchmaker between developers and property owners and to recruit development to areas where it would not have occurred otherwise or happened as soon, and to pursue land acquisition to create TOD opportunities.
- Metro Rail and the City of Denver has a TOD Strategic Plan focused on specific station areas and an inter-department project advisory team to align efforts. They align city departments to catalyze TOD projects through City actions. They have created an affordable housing TOD Acquisition Fund, the first in the Country.
- Portland MAX and Portland Development Commission conducts urban renewal and economic development through TIF. They also have a Commercial Property Development Loan Program, a tax abatement program and Development Charge Waiver Program for one-time incentives.
- San Francisco BART stewards its assets to contribute to ongoing financial viability of the transit system through various value capture strategies and TOD and through land use policies that will generate more ridership. They leverage their property for equity investment and to generate long term revenue. Focus on partnerships and soliciting proposals for their District-owned properties.

The PIG is concerned that Honolulu's TOD activity, lodged in DPP and focused on regulation may not be properly poised or have sufficient real estate expertise to become a

## ATTACHMENT 3

pro-active force to create and facilitate TOD activity, public benefits, and any resulting revenues. While TOD was sold as a prime reason for having rail, the nexus between the planning and revenue generation to help build or operate and maintain the rail project appears to be limited so far.

The PIG finds that if nothing changes, Honolulu may not fully benefit from land opportunity around the transit system. The question for the Charter Commission to consider is, to what extent is this a structural issue that can be addressed through a charter change? If this need is only seen as government bloat will it become an opportunity lost?

Whether to form a department, an office or a division to handle land preservation and enhancement, there needs to be transition steps. There will be costs, but they need not be onerous or place unnecessary burden on the City & County. In forming a department, the Administration working with the Council and others would define its structure, prepare job descriptions, detail responsibilities by division, write protocols and administrative rules and procedures. The Administration under its authorities would re-organize positions and resources from other departments (for example, leasing and commercial space management from BFS, real estate appraisal from DFM, land management from BWS, DPR and BFS, and possible TOD from DPP). A fully functioning department would take about three years to be in place.

The PIG considered whether the land functions should be lodged in the Mayor's office, an existing, or a new agency. These are big picture questions. We are mindful that this Charter Commission has not shied away from big issues as they affect the entire citizenry of Honolulu.

### Recommendation

The latest proposed language submitted by the Mayor's office and amended by the PIG is attached to this Permitted Interaction Group Report. Although this Permitted Action Group does not make any recommendation as to whether the Commission should adopt the latest proposal language, we recommend that over the next two months the Commission continue to seek further input from the Administration, Council and the public. We recommend that the Commission call this subject out on the Agenda for the upcoming cycle of public meetings out in the community.

If a version of the protection and enhancement of city resources proposal can be crafted that is acceptable to the politicians and the public alike, this could have a significant long term benefit to the City for years to come. If the elected officials and public are not ready for this step, then we recommend that there be a study conducted of how the development function is undertaken in other cities, and in particular in other rail cities and that the community at large engage in a broad and thoughtful discussion of how the city should meet its vision for the future, and how to capture benefits derived from nearby real estate back into the city.

### **ATTACHMENT 3**

The Commission should continue its discussion following input received during the public meetings and then decide whether to put it before the voters in the latest amended version submitted by the Mayor's office, modified, or not at all.

## ATTACHMENT 3

(NEW)

### ARTICLE VI, CHAPTER 18 DEPARTMENT OF LAND PRESERVATION AND ENHANCEMENT

#### Section 6-1801. Organization --

There shall be a department of land preservation and enhancement headed by a director of land preservation and enhancement who is appointed by and may be removed by the mayor.

#### Section 6-1802. Powers, Duties and Functions --

The director of central land services shall:

- (a) Protect, develop, and manage the land assets of the city;
- (b) Prepare and maintain a perpetual inventory of all lands owned, leased, rented or controlled by the city;
- (c) Consult with city user agencies on appropriate use or non-use of city land assets;
- (d) Practice stewardship and conservation of valued assets;
- (e) Manage land assets while transitioning any developed parcels to the appropriate city agency;
- (f) Receive and review development proposals on city lands and develop property as directed by the mayor and council;
- (g) Dispose of lands and built property through lease, license, permit, concession, or sale upon consent and approval of the council;
- (h) Negotiate with others as to the joint use of city land and property upon consent and approval of the council;
- (i) Negotiate public private partnerships on behalf of the city to formulate agreements, including but not limited to Clean Water Fund, transit oriented development, unilateral and bi-lateral agreements, and other discretionary land use agreements and prepare for council consent and approval.

#### Section 6-1803. Public Consultation

Conduct public consultation to help identify what is the public interest for city owned property. Before making recommendations to the council for land disposal or joint development of city lands the department shall conduct a public meeting in the district where the land activity would occur.

#### Section 6-1804. Compliance with Environmental Laws

All licenses, sales, and land use agreements whose term that involve city property and land shall be in compliance with the environmental laws of the State of Hawaii.

## ATTACHMENT 4

### PROPOSAL 81

**Proposer: City and County of Honolulu, Office of the Managing Director**

Establish a dimensional zoning variance, with criteria based on practical difficulties, rather than relying on unnecessary hardship as the exclusive grounds for granting a variance to the Land Use Ordinance. Current applicable Charter provisions only provide for the "hardship" criteria, which is typically (i.e., in most U.S. municipalities) applicable only to use-type zoning variances. Traditionally, dimensional/bulk variances are reviewed on the basis of practical difficulties tests. Establishing a dimensional variance, including the appropriate criteria needed for the Director of the Department of Planning and Permitting (DPP) to determine whether practical difficulty exists for non-use variance requests, will provide a more appropriate mechanism for the consideration of the majority of zoning variance requests received by the DPP.

#### **Section 6-1517. Zoning Variances**

The director shall hear and determine petitions for varying the application of the zoning code with respect to a specific parcel of land and may grant such a variance upon: (a) the ground of unnecessary hardship for use variances if the record shows that (1) the applicant would be deprived of the reasonable use of such land or building if the provisions of the zoning code were strictly applicable; (2) the request of the applicant is due to unique circumstances and not the general conditions in the neighborhood, so that the reasonableness of the neighborhood zoning is not drawn into question; and (3) the request, if approved, will not alter the essential character of the neighborhood nor be contrary to the intent and purpose of the zoning ordinance[.]<sup>30</sup>; or (b) the ground of practical difficulties for non-use or dimensional variances if the record shows that (1) the applicant proposes to use the property in a reasonable manner permitted by the zoning code; (2) the applicant's plight is due to circumstances unique to the property not created by the applicant; and (3) the variance will not alter the neighborhood's essential character or be injurious to the public health, safety and general welfare of the community. Prior to the granting of any variance, the director shall hold a public hearing thereon. The director shall specify the particular evidence which supports the granting of a variance.



## ATTACHMENT 5

### PROPOSAL 80

**Proposer: City and County of Honolulu, Office of the Managing Director**

Expand to allow delegation of Mayor's authority to sign documents requiring execution by the City unless otherwise provided by charter, ordinance or resolution.

#### **Section 5-103. Powers, Duties and Functions –**

The mayor shall be the chief executive officer of the city. The mayor shall have the power to:

(h) Sign, or designate the managing director, director of an executive department or agency, or other officer to sign, instruments requiring execution by the city, except those which the director of budget and fiscal services or other officer is authorized to sign by this charter, ordinance or resolution.

## ATTACHMENT 6

### PROPOSAL 48

**Submitter: Cheryl Soon**

Amend the language pertaining to the use of City Powers to add that powers shall be used to further a culture of sustainability and resource protection. Also, underscore that inclusiveness, transparency, and participation by the citizenry is a fundamental principle of conduct.

#### Article II, Section 2-102 Purposes

Incorporates sustainability concepts from the UN Commission on Sustainability as well as the Hawai'i Sustainability and Aloha Challenge.

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and protecting natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

AMENDED 4/29/16 – unanimous vote:

All City powers shall be used to serve and advance the general welfare, safety and aspirations of its inhabitants in a sustainable manner and practicing stewardship of natural resources for present and future generations. All powers are to be used in a transparent manner, be inclusive and encourage full participation in by the citizenry in the process of governance.

**PROPOSAL 73**  
**Submitter: Professor Maxine Burkett**

**Section 6-107. Office of Climate Change and Sustainability –**

There shall be an office of climate change and sustainability headed by an executive for climate change and sustainability who shall be appointed and may be removed by the mayor. The executive for climate change and sustainability shall:

- (a) Seek local information from scientists and track climate change science and potential impacts on city facilities.
- (b) Coordinate actions and policies of departments within the city to:
  - (1) Increase community preparedness.
  - (2) Protect economic activity.
  - (3) Protect the coastal areas and beaches.
  - (4) Develop resilient infrastructure in response to the effects from climate changes.
- (c) Develop or coordinate city policies and programs that will improve environmental performance of city operations and advance environmental priorities.
- (d) Integrate sustainable and environmental values into city plans, programs and policies.
- (e) Report to the mayor and council regarding overall performance in meeting sustainability and environmental targets and objectives.
- (f) Coordinate with federal and state agencies regarding climate change, sustainability and the environment.
- (g) Convene a Climate Change Commission consisting of five members with expertise in climate change in Hawai'i, which Commission shall meet no less than twice annually for the purpose of gathering the latest science and information on climate change effects in the city and providing advice as is deemed appropriate to the executive for climate change and sustainability, the mayor, council and executive departments of the city.

## **PROPOSAL 86 TEXT**

**Submitter: City and County of Honolulu, Office of Managing Director**

### **Section 6-1004 Powers, Duties and Functions –**

The fire chief shall:

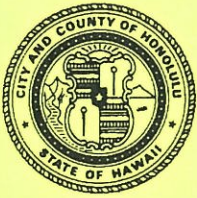
- (a) Provide for a safer community through fire prevention and preparedness; and effective emergency response.
- (b) Perform fire fighting and [rescue] emergency response work [in order] to save lives, property and the environment from fires.
- (c) Respond to [emergencies arising on hazardous terrain and on the sea and] hazardous materials incidents.
- (d) Provide emergency medical care.
- (e) Train, equip, maintain and [supervise a force of] manage fire fighting and [rescue] emergency response personnel.
- (f) [Monitor the construction and occupancy standards of buildings] Review construction plans and inspect buildings, occupancies and premises for the purposes of fire prevention.
- (g) Investigate the origin, cause and circumstances of fires and explosions.
- (h) Provide educational programs related to fire prevention.
- (i) Appoint the deputy fire chief and the private secretaries to the fire chief and the deputy fire chief.
- (j) Perform such other duties as may be required by law.

**PROPOSAL 104**  
**Submitter: Lynne Matusow**

Men seem to have the upper hand when it comes to service on boards and commissions. I propose that there be a charter amendment which provides equal representation on all appointed boards and commissions of men and women. The provisions which state the number of members will have to be amended to provide that on even member boards, there shall be an equal representation of men and women, and on odd member boards there shall be a deviation of no more than one.

I was disturbed when one of the most important commissions for the county, the Reapportionment Commission, was composed of eight men and one woman. The Charter Commission, which will be changing the face of our Honolulu home, has ten men and three women.

In addition, as all elections in the City and County are non-partisan, all references to party membership in the Charter should be deleted. They are a vestige of another time.



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON TRANSPORTATION

### Voting Members:

Joey Manahan, Chair  
Ann H. Kobayashi, Vice Chair  
Brandon J.C. Elefante  
Ron Menor  
Kymberly Marcos Pine

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
THURSDAY, JUNE 16, 2016  
1:00 PM

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### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:00 p.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3826 your name, phone number and the agenda item;
- By filling out a registration form in person; or
- By calling 768-3816.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3826 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities. Please call 768-3816 or send an email to [jtachibana@honolulu.gov](mailto:jtachibana@honolulu.gov) at least three working days prior to the meeting.

The Meeting is viewable by: (1) internet live streaming through [http://olelo.granicus.com/MediaPlayer.php?publish\\_id=92](http://olelo.granicus.com/MediaPlayer.php?publish_id=92); (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.



**FOR APPROVAL**

**MINUTES OF THE MAY 19, 2016 REGULAR MEETING**

**FOR ACTION**

1. **RESOLUTION 16-145 – RELATING TO BIKEWAY IMPROVEMENTS PROGRAM, HAMAKUA DRIVE.** Authorizing the Director of Transportation Services or the Director's Designee to apply for, and accept and expend, Federal Highway Administration (FHA) Funds authorized by 23 CFR PART 630 and other Federal Statutes administered by the FHA for bikeway improvements program, Hamakua Drive. (Transmitted by **Communication D-363**)
2. **RESOLUTION 16-149 – FEDERAL HIGHWAY FUNDS FOR TRAFFIC SIGNALS AT VARIOUS LOCATIONS PHASE 19.** Authorizing the Director of Transportation Services (DTS) or the Director's designee to apply for, and accept and expend, Federal Highway Administration (FHA) funds authorized by 23 CFR PART 630 and other Federal Statutes administered by the FHA for traffic signals various locations, Phase 19. (Transmitted by **Communication D-377**)

**FOR DISCUSSION:**

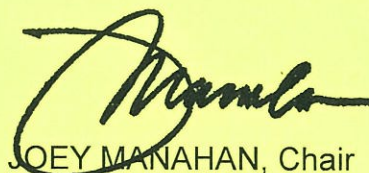
3. **COUNCIL APPOINTMENTS TO THE TRANSPORTATION COMMISSION REQUESTED BY THE DEPARTMENT OF TRANSPORTATION SERVICES (DTS).**

**Related communications:**

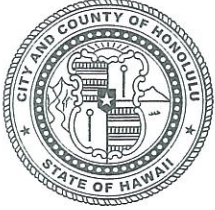
**Communication D-371** – DTS requesting a Council-appointed successor for Commissioner Laurie Santiago, whose term expires on June 30, 2016.

**Communication D-372** - DTS requesting a Council-appointed successor for Commissioner John B. Goody, whose term expired on June 30, 2015.

4. **HART PROJECT UPDATE AND HART FINANCIAL PLAN UPDATE**



JOEY MANAHAN, Chair  
Committee on Transportation



**CITY COUNCIL**  
CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**BRANDON ELEFANTE**

Councilmember District 8  
Aiea, Pearl City, Waipahu  
Chair, Committee on Business, Economic Development and Tourism  
Telephone: (808) 768-5008  
Email: belefante@honolulu.gov

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MEMORANDUM

DATE: JUNE 9, 2016

TO: COUNCILMEMBERS  
MANAGING DIRECTOR

FROM: BRANDON J.C. ELEFANTE, CHAIR  
COMMITTEE ON BUSINESS, ECONOMIC DEVELOPMENT AND  
TOURISM

SUBJECT: CANCELLATION OF THE JUNE 16, 2016 COMMITTEE ON BUSINESS,  
ECONOMIC DEVELOPMENT AND TOURISM MEETING

Please be advised that the Committee on Business, Economic Development and Tourism meeting scheduled for Thursday, June 16, 2016, at 2:30 p.m. has been cancelled.

Thank you for your cooperation.

A handwritten signature in black ink, appearing to read "Brandon J.C. Elefante", is located below the "Thank you" text.

BRANDON J.C. ELEFANTE, Chair  
Committee on Business, Economic Development and Tourism

cc: City Clerk's Office  
Office of Council Services  
Office of the City Auditor  
Council Receptionist  
Council Telecasting Director  
Department of Corporation Counsel





HONOLULU AUTHORITY for RAPID TRANSPORTATION

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2016 JUN -9 PM 2: 53

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

BOARD OF DIRECTORS

Colleen Hanabusa  
CHAIR

Damien T.K. Kim  
VICE CHAIR

George I. Atta  
Michael D. Formby  
Ford N. Fuchigami  
Terri Fujii  
William "Buzz" Hong  
Terrence M. Lee  
Ivan M. Lui-Kwan, Esq  
Colbert M. Matsumoto

**Board of Directors Meeting  
Ali'i Place, Suite 150  
1099 Alakea Street, Honolulu, Hawaii  
(entrance on Richards Street)  
Thursday, June 16, 2016, 10:30 a.m.**

**Agenda**

- I. Call to Order by Chair
- II. Public Testimony on All Agenda Items
- III. Approval of the May 12, 2016 Minutes of the Meeting of the Board of Directors
- IV. Board Committee Membership
- V. Board Leadership Election
- VI. Resolution 2016-17 In Acknowledgement and Appreciation of Ivan Lui-Kwan
- VII. Discussion of the Federal Transit Administration's Recovery Plan Request
- VIII. Adoption of Fiscal Year 2017 Business Plan
- IX. Resolution 2016-18 Adopting Operating and Capital Budgets for Fiscal Year 2017  
Executive Session  
Pursuant to Hawaii Revised Statutes Section 92-4 and Subsection 92-5(a)(4), the Board may enter into Executive Session to consult with its attorneys on questions and issues on a matter pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to the matters set forth in this part.
  - A. Public Hearing
  - B. Decision-making
- X. Resolution 2016-19 Adopting Six-Year Capital Program for Fiscal Year 2017 – 2022  
Executive Session  
Pursuant to Hawaii Revised Statutes Section 92-4 and Subsection 92-5(a)(4), the Board may enter into Executive Session to consult with its attorneys on questions and issues on a matter pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to the matters set forth in this part.
  - A. Public Hearing
  - B. Decision-making
- XI. Change Order: Establishment of a Provisional Sum to Dispose of Contaminated Material West Oahu Farrington Highway Guideway, Contract No. CT-HRT-10H0137

XII. Land Acquisition and Eminent Domain Discussion and Actions

Executive Session

Pursuant to Hawaii Revised Statutes Section 92-4 and Subsection 92-5(a)(4), the Board may enter into Executive Session to consult with its attorneys on questions and issues on a matter pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to the eminent domain matters set forth in this part.

- A. Resolution 2016-20 Approving Notification to the City Council of Intention to Acquire a Fee Simple Interest in the Real Property Identified as Tax Map Key 1-5-015-010 (Portion), Located at 909 Dillingham Boulevard Honolulu, Hawaii 96817, and Owned by Bank of Hawaii, by Eminent Domain and Publication of a Resolution Authorizing Acquisition of Said Property by Eminent Domain
- B. Resolution 2016-21 Approving Notification to the City Council of Intention to Acquire Guideway Easement Over, On, and Across the Real Property Identified as Tax Map Key 1-5-007-026 (Portion), Located at 519 Kaaahi Street Honolulu, Hawaii 96817, and Owned by Four K Properties, LLC by Eminent Domain and Publication of a Resolution Authorizing Acquisition of Said Easement by Eminent Domain
- C. Resolution 2016-22 Approving Notification to the City Council of Intention to Acquire Permanent Guideway Easement Over, On, and Across the Real Property Identified as Tax Map Key 1-5-007-029 (Portion), Located at 505 Kaaahi Street Honolulu, Hawaii 96817 and Owned by 300 Corporation by Eminent Domain and Publication of a Resolution Authorizing Acquisition of Said Easement by Eminent Domain
- D. Resolution 2016-23 Approving Notification to the City Council of Intention to Acquire Permanent Easement Over, On, and Across the Real Property Identified as Tax Map Key 2-1-031-030 (Portion), Located at 616 Keawe Street, Honolulu Hawaii 96813 (Also Referred to as: 609 South Street, Honolulu, and 607 South Street, Honolulu) and Owned by Servco Pacific Inc. by Eminent Domain and Publication of a Resolution Authorizing Acquisition of Said Easements by Eminent Domain

XIII. Discussion and Decision on Pearl Highlands Parking Garage Request for Information

XIV. Resolution No. 2016-24 Relating To The Honolulu Authority For Rapid Transportation's Request To The City And County Of Honolulu To Draw From The City's General Obligation Tax Exempt Commercial Paper Program

XV. Extension of Deadline to Evaluate Executive Director & CEO

XVI. Executive Director & CEO's Performance Evaluation and Upcoming Performance Objectives

Executive Session

Pursuant to Hawaii Revised Statutes Section 92-4 and Subsections 92-5(a)(4) and 92-5(a)(2), the Board may enter into Executive Session to consider the Annual Evaluation of the Executive Director/CEO where consideration of matters affecting privacy will be involved, and to consult with its attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to these matters.

XVII. Sale of AnsaldoBreda and Ansaldo STS to Hitachi

Executive Session

Pursuant to Hawaii Revised Statutes Section 92-4 and Subsection 92-5(a)(4), the Board may enter into Executive Session to consult with its attorneys on questions and issues on a matter pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to the matters set forth in this part.

- XVIII. May Monthly Progress Report
- XIX. May Project Management Oversight Consultant Report
- XX. Construction and Traffic Update
- XXI. Right of Way Update
- XXII. Executive Director & CEO's Report
- XXIII. Adjournment

Note: Persons wishing to testify on items listed on the agenda are requested to register by completing a speaker registration form at the meeting or online on the HART section of the [www.honolulutransit.org](http://www.honolulutransit.org) website. Each speaker is limited to a **two-minute** presentation. Persons who have not registered to speak in advance should raise their hands at the time designated for public testimony and they will be given an opportunity to speak following oral testimonies of the registered speakers.

If you require special assistance, auxiliary aid and/or service to participate in this event (i.e. sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please contact Cindy Matsushita at 768-6258 or email your request to [cmatsushita@honolulu.gov](mailto:cmatsushita@honolulu.gov) at least three business days prior to the event.



HONOLULU AUTHORITY for RAPID TRANSPORTATION

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Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

HUMAN RESOURCES  
COMMITTEE MEMBERS

Damien T.K. Kim  
CHAIR

Michael D. Formby  
VICE CHAIR

Colleen Hanabusa  
William "Buzz" Hong  
Terrence M. Lee  
Ivan M. Lui-Kwan, Esq.

**Human Resources Committee**  
**Ali'i Place, Suite 150**  
**1099 Alakea Street, Honolulu, Hawaii**  
**(entrance on Richards Street)**  
**Thursday, June 16, 2016, 8:30 a.m.**

**Agenda**

- I. Call to Order by Chair
- II. Public Testimony on all Agenda Items
- III. Approval of Minutes of the May 12, 2016 Meeting of the Human Resources Committee
- IV. Extension of Deadline to Evaluate Executive Director & CEO
- V. Executive Director & CEO's Performance Evaluation and Upcoming Performance Objectives

Executive Session

Pursuant to Hawaii Revised Statutes Section 92-4 and Subsections 92-5(a)(4) and 92-5(a)(2), the Board may enter into Executive Session to consider the Annual Evaluation of the Executive Director/CEO where consideration of matters affecting privacy will be involved, and to consult with its attorneys on questions and issues pertaining to the Board's powers, duties, privileges, immunities and liabilities with regard to these matters.

- VI. Adjournment

Note: Persons wishing to testify on items listed on the agenda are requested to register by completing a speaker registration form at the meeting or online on the HART section of the [www.honolulutransit.org](http://www.honolulutransit.org) website. Each speaker is limited to a **two-minute** presentation. Persons who have not registered to speak in advance should raise their hands at the time designated for public testimony and they will be given an opportunity to speak following oral testimonies of the registered speakers.

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LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU  
PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 600  
HONOLULU, HAWAII 96813

2016 JUN -9 PM 2:53

AGENDA – FORTY-SEVENTH MEETING

THURSDAY, JUNE 16, 2016  
4:00 P.M.

PUBLIC HEARINGS:

1. Trans. Appl. No.  
16-5120 from Longhi's  
Ko'Oolina LLC  
For the transfer of the business  
and Restaurant General license  
(Category No. 2 - Live  
entertainment or Recorded Music  
and Dancing) of RRB Restaurants,  
LLC, dba Chuck's Steak House  
and Seafood, 92-161 Waipahe  
Place, Kapolei, and for a change of  
trade name to Longhi's Ko'Oolina,  
LLC (R0799); and for a reduction  
in area (Prelim. Hrg. 5/26/16)
2. Appl. No. 16-4774 from  
Pixie Dust 21, Inc., dba  
Club La Vie En Rose,  
1219 Keeaumoku Street  
For a Dispenser General license  
(Category No. 1 – Standard Bar)  
(Prelim. Hrg. 4/21/16)
3. Appl. No. 16-4813 from  
Mint Restaurant Group,  
LLC, dba Brick Fire  
Tavern, 2 North Hotel  
Street, #2  
For a Restaurant General license  
(Category No. 1 – Standard Bar)  
(Prelim. Hrg. 4/21/16)

PUBLIC HEARINGS: (CONT.)

- |                                                                                                                                                                     |                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 4. Appl. No. 16-4866 from<br>La Tour Group L.L.C.,<br>dba La Tour Café,<br>4450 Kapolei Parkway,<br>Suite 530, Kapolei<br>(Kapolei Commons<br>Entertainment Center) | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/21/16) |
| 5. Appl. No. 16-4867 from<br>Regal Food, Inc., dba Regal<br>Bakery, 100 North Beretania<br>Street, Space 105                                                        | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/21/16) |
| 6. Appl. No. 16-4930 from<br>Goma 5, Inc., dba Goma Tei<br>Ramen IMP, 2330 Kalakaua<br>Avenue, Store No. 318                                                        | For a Restaurant General license<br>(Category No. 1 – Standard Bar)<br>(Prelim. Hrg. 4/21/16)                                           |

LICENSE APPLICATIONS:

Special License Application:

- |                                                                                                                                               |                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Appl. No. 16-6197 from<br>Events International,<br>Inc., dba Events<br>International, Inc.,<br>41-1800 Kalanianaʻole<br>Highway, Waimanalo | For a Special General license on<br>the following dates and times:<br><br>1) Thursday, June 23, 2016, from<br>4 p.m. to 12 midnight;<br><br>2) Friday, June 24, 2016, from<br>4 p.m. to 12 midnight; and<br><br>3) Saturday, June 25, 2016, from<br>10 a.m. to 4 p.m. |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

PRELIMINARY HEARINGS:

- |                                                                                                               |                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8. Transfer Appl. No. 16-5707<br>from Ono Creative<br>Restaurant Group, LLC                                   | For the transfer of the business and<br>Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) of Café Nalu LLC,<br>dba Banzai Sushi Bar,<br>66-246 Kamehameha Highway,<br>Haleiwa (R0982) |
| 9. Appl. No. 16-5659 from<br>Liliha Bakery II, Inc., dba<br>Umami-Ya Shabu Shabu,<br>580 North Nimitz Highway | For a Brew Pub General license<br>(Category No. 1 – Standard Bar)                                                                                                                                                                           |

LICENSE APPLICATIONS: (CONT.)

Stock Transfer Application:

- |                                                                                                                                                                                         |                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 10. Appl. No. 16-6349 from<br>Maido Co., Ltd., dba<br>Nabeya Maido, Restaurant<br>General license (Category<br>No. 1 – Standard Bar),<br>2919 Kapiolani Boulevard,<br>Space 204 (R1064) | For approval of the transfer of<br>capital stock |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|

REQUESTS:

- |                                                                                                                   |                                                                                    |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 11. Koa Management, LLC,<br>dba Pacific Beach Hotel,<br>Hotel General license,<br>2490 Kalakaua Avenue<br>(L0009) | Notification of new member and<br>officers and transfer of<br>membership interests |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|

REQUESTS: (CONT.)

- |                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12. VJ Restaurant Group L.L.C.,<br>dba Prima Tratoria,<br>Restaurant General license<br>(Category No. 1 – Standard<br>Bar), 108 Hekili Street,<br>Suite 107, Kailua (R0971) | Requesting further extension to<br>June 30, 2016 to present its tax<br>clearance after the July 31, 2015<br>deadline, pursuant to Rule 3-82-<br>31.4(b)                                                                                                                                                                                                             |
|                                                                                                                                                                             | (previous extension until May 13,<br>2016, approved on March 10,<br>2016)                                                                                                                                                                                                                                                                                           |
| 13. Safeway Inc., dba Safeway,<br>Retail Beer and Wine<br>license, 91-1119 Keaunui<br>Drive, Ewa Beach (D1219)                                                              | Requesting, pursuant to Rule 3-82-<br>45.1, two-year waiver of<br>requirement to submit Personal<br>History and Affidavit, Criminal<br>History Record Clearance, and<br>Fingerprint Cards for all officers<br>and directors, except for two<br>officers and directors specifically<br>designated to oversee its<br>operations in the City and County<br>of Honolulu |
| Safeway Inc., Retail General<br>licenses (total of 14)                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                     |
| dba Safeway Stores No. 211,<br>848 Ala Lilikoi Street<br>(D0349);                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                     |
| dba Safeway Stores No. 214,<br>98-1277 Kaahumanu Street,<br>Aiea (D0350);                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                     |
| dba Safeway Stores No. 203,<br>1360 Pali Highway (D0351);                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                     |
| dba Safeway Stores No. 204,<br>2855 East Manoa Road<br>(D0353);                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                     |
| dba Safeway Stores No. 205,<br>1060 Keolu Drive, Kailua<br>(D0354);                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                     |

REQUESTS: (CONT.)

Safeway Inc., Retail General  
licenses (Cont.)

dba Safeway Stores No. 2208,  
25 Kaneohe Bay Drive,  
Kailua (D0355);

dba Safeway Stores No. 207,  
46-065 Kamehameha  
Highway, Kaneohe (D0356);

dba Safeway Stores No. 215,  
377 Keahole Street (D0357);

dba Safeway Stores No. 2218,  
94-780 Meheula Parkway,  
Mililani (D0549);

dba Safeway Stores No. 1087,  
200 Hamakua Drive, Kailua  
(D0676);

dba Safeway Stores No. 1263,  
91-590 Farrington Highway,  
Kapolei (D0776);

dba Safeway No. 2747,  
888 Kapahulu Avenue  
(D1099);

dba Safeway, 1234 South  
Beretania Street (D1164); and

dba Safeway,  
91-1119 Keaunui Drive,  
Ewa Beach (D1185)

Requesting, pursuant to Rule 3-82-  
45.1, two-year waiver of  
requirement to submit Personal  
History and Affidavit, Criminal  
History Record Clearance, and  
Fingerprint Cards for all officers  
and directors, except for two  
officers and directors specifically  
designated to oversee its  
operations in the City and County  
of Honolulu

ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

- |     |                                               |                                                                                |
|-----|-----------------------------------------------|--------------------------------------------------------------------------------|
| 14. | Hawaiian Airlines<br>(LCV 16-0035)<br>(E1549) | For adoption of Decision and<br>Order                                          |
| 15. | Pandora Café, LLC<br>(LCV 16-0048)<br>(R0904) | do.                                                                            |
| 16. | Shinsho Tei<br>(LCV 13-0343)<br>(E1028)       | For adoption of Findings of Fact,<br>Conclusions of Law, Decision and<br>Order |

ADJUDICATION HEARINGS:

- |     |                                          |                                                                                                                                                                                                                      |
|-----|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 17. | Imua Lounge<br>(LCV 16-0058)<br>(E0172)  | Licensee failed to accurately report<br>its revenues from gross liquor sales<br>or to properly complete the gross<br>liquor sales report (Violation of<br>Rule 3-81-17.56) (Date of<br>violation: December 11, 2015) |
| 18. | Leeward Bowl<br>(LCV 16-0007)<br>(E0465) | Licensee used a trade name<br>without the prior approval of the<br>Commission (Violation of Rule<br>3-18-17.59) (Date of violation: On<br>or prior to December 17, 2015)                                             |

(Continued from May 19, 2016)



ADJUDICATION HEARINGS: (CONT.)

19. Club Femme Nu  
(LCV 15-0078)  
(E0754)

Licensee permitted a person to perform as a dancer in that section of the licensed premises where liquor is sold, served or consumed without said dancer being at least twenty-one (21) years of age (Violation of Rule 3-82-38.6(b)) (Date of violation: On or about June 16, 2015)

(Continued from April 21, 2016)

[History: 3/10/16, 4/21/16]

20. Red Lobster  
(LCV 16-0055)  
(R0248)

Licensee failed to notify the Commission, in writing, within thirty days of any change of managers or members of a manager-managed LLC, or of any change of members in a member-managed LLC, and/or failed to submit a personal history of the new manager or member on forms prescribed by the Commission (Violation of Rule 3-82-41.2(b)) (Date of violation: On or about April 1, 2015, and/or during the period between April 1, 2015 and May 1, 2015)

ADJUDICATION HEARINGS: (CONT.)

- |                                                                 |     |                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 21. Club International<br>(LCV 15-0227)<br>(E1327)              | (1) | Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about December 19, 2015)                 |
|                                                                 | (2) | Licensee permitted the sale, service or consumption of liquor on or within the licensed premises before or after the hours established by the Commission (Violation of Rule 3-82-38.20(a)) (Date of violation: On or about December 19, 2015) |
| 22. Michelle's Restaurant<br>Lounge<br>(LCV 15-0213)<br>(I0015) | (1) | Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about November 27, 2015)                                                                               |
|                                                                 | (2) | Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about November 27, 2015)                           |

OTHER BUSINESS:

- |                          |                                                                                                            |
|--------------------------|------------------------------------------------------------------------------------------------------------|
| 23. Liquor Commission    | Administrative Actions Report for May 2016                                                                 |
| 24. Liquor Administrator | Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination |

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to [liquor@honolulu.gov](mailto:liquor@honolulu.gov), or call Tammie Uyechi at 768-7308, at least three (3) business days prior to the meeting.

RECEIVED  
CITY CLERK  
C & C OF HONOLULU

LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU  
PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 600  
HONOLULU, HAWAII 96813

2016 JUN -9 PM 2:53

AGENDA – FORTY-SEVENTH MEETING

THURSDAY, JUNE 16, 2016  
4:00 P.M.

PUBLIC HEARINGS:

1. Trans. Appl. No.  
16-5120 from Longhi's  
Ko'Oolina LLC  
For the transfer of the business  
and Restaurant General license  
(Category No. 2 - Live  
entertainment or Recorded Music  
and Dancing) of RRB Restaurants,  
LLC, dba Chuck's Steak House  
and Seafood, 92-161 Waipahe  
Place, Kapolei, and for a change of  
trade name to Longhi's Ko'Oolina,  
LLC (R0799); and for a reduction  
in area (Prelim. Hrg. 5/26/16)
2. Appl. No. 16-4774 from  
Pixie Dust 21, Inc., dba  
Club La Vie En Rose,  
1219 Keeaumoku Street  
For a Dispenser General license  
(Category No. 1 – Standard Bar)  
(Prelim. Hrg. 4/21/16)
3. Appl. No. 16-4813 from  
Mint Restaurant Group,  
LLC, dba Brick Fire  
Tavern, 2 North Hotel  
Street, #2  
For a Restaurant General license  
(Category No. 1 – Standard Bar)  
(Prelim. Hrg. 4/21/16)

PUBLIC HEARINGS: (CONT.)

- |                                                                                                                                                                     |                                                                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| 4. Appl. No. 16-4866 from<br>La Tour Group L.L.C.,<br>dba La Tour Café,<br>4450 Kapolei Parkway,<br>Suite 530, Kapolei<br>(Kapolei Commons<br>Entertainment Center) | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/21/16) |
| 5. Appl. No. 16-4867 from<br>Regal Food, Inc., dba Regal<br>Bakery, 100 North Beretania<br>Street, Space 105                                                        | For a Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) (Prelim. Hrg.<br>4/21/16) |
| 6. Appl. No. 16-4930 from<br>Goma 5, Inc., dba Goma Tei<br>Ramen IMP, 2330 Kalakaua<br>Avenue, Store No. 318                                                        | For a Restaurant General license<br>(Category No. 1 – Standard Bar)<br>(Prelim. Hrg. 4/21/16)                                           |

LICENSE APPLICATIONS:

Special License Application:

- |                                                                                                                                               |                                                                                                                                                                                                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Appl. No. 16-6197 from<br>Events International,<br>Inc., dba Events<br>International, Inc.,<br>41-1800 Kalanianaʻole<br>Highway, Waimanalo | For a Special General license on<br>the following dates and times:<br><br>1) Thursday, June 23, 2016, from<br>4 p.m. to 12 midnight;<br><br>2) Friday, June 24, 2016, from<br>4 p.m. to 12 midnight; and<br><br>3) Saturday, June 25, 2016, from<br>10 a.m. to 4 p.m. |
|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

PRELIMINARY HEARINGS:

- |                                                                                                               |                                                                                                                                                                                                                                             |
|---------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8. Transfer Appl. No. 16-5707<br>from Ono Creative<br>Restaurant Group, LLC                                   | For the transfer of the business and<br>Restaurant General license<br>(Category No. 2 - Live<br>entertainment or Recorded Music<br>and Dancing) of Café Nalu LLC,<br>dba Banzai Sushi Bar,<br>66-246 Kamehameha Highway,<br>Haleiwa (R0982) |
| 9. Appl. No. 16-5659 from<br>Liliha Bakery II, Inc., dba<br>Umami-Ya Shabu Shabu,<br>580 North Nimitz Highway | For a Brew Pub General license<br>(Category No. 1 – Standard Bar)                                                                                                                                                                           |

LICENSE APPLICATIONS: (CONT.)

Stock Transfer Application:

- |                                                                                                                                                                                         |                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| 10. Appl. No. 16-6349 from<br>Maido Co., Ltd., dba<br>Nabeya Maido, Restaurant<br>General license (Category<br>No. 1 – Standard Bar),<br>2919 Kapiolani Boulevard,<br>Space 204 (R1064) | For approval of the transfer of<br>capital stock |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|

REQUESTS:

- |                                                                                                                   |                                                                                    |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| 11. Koa Management, LLC,<br>dba Pacific Beach Hotel,<br>Hotel General license,<br>2490 Kalakaua Avenue<br>(L0009) | Notification of new member and<br>officers and transfer of<br>membership interests |
|-------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|



REQUESTS: (CONT.)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 12. VJ Restaurant Group L.L.C.,<br>dba Prima Tratoria,<br>Restaurant General license<br>(Category No. 1 – Standard<br>Bar), 108 Hekili Street,<br>Suite 107, Kailua (R0971)                                                                                                                                                                                                                                                                                                                                                                               | Requesting further extension to<br>June 30, 2016 to present its tax<br>clearance after the July 31, 2015<br>deadline, pursuant to Rule 3-82-<br>31.4(b)<br><br>(previous extension until May 13,<br>2016, approved on March 10,<br>2016)                                                                                                                            |
| 13. Safeway Inc., dba Safeway,<br>Retail Beer and Wine<br>license, 91-1119 Keaunui<br>Drive, Ewa Beach (D1219)<br><br>Safeway Inc., Retail General<br>licenses (total of 14)<br><br>dba Safeway Stores No. 211,<br>848 Ala Lilikoi Street<br>(D0349);<br><br>dba Safeway Stores No. 214,<br>98-1277 Kaahumanu Street,<br>Aiea (D0350);<br><br>dba Safeway Stores No. 203,<br>1360 Pali Highway (D0351);<br><br>dba Safeway Stores No. 204,<br>2855 East Manoa Road<br>(D0353);<br><br>dba Safeway Stores No. 205,<br>1060 Keolu Drive, Kailua<br>(D0354); | Requesting, pursuant to Rule 3-82-<br>45.1, two-year waiver of<br>requirement to submit Personal<br>History and Affidavit, Criminal<br>History Record Clearance, and<br>Fingerprint Cards for all officers<br>and directors, except for two<br>officers and directors specifically<br>designated to oversee its<br>operations in the City and County<br>of Honolulu |

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licenses (Cont.)

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ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

- |     |                                               |                                                                                |
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ADJUDICATION HEARINGS:

- |     |                                          |                                                                                                                                                                                                                      |
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(Continued from May 19, 2016)

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(Continued from April 21, 2016)

[History: 3/10/16, 4/21/16]

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ADJUDICATION HEARINGS: (CONT.)

- |                                                                 |                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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|                                                                 | (2) Licensee failed to make time record entries at the time its employee reported on duty and again when the employee went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about November 27, 2015)                           |

OTHER BUSINESS:

- |                          |                                                                                                            |
|--------------------------|------------------------------------------------------------------------------------------------------------|
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| 24. Liquor Administrator | Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination |

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## KANEOHE NEIGHBORHOOD BOARD NO. 30

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

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2016 JUN -9 PM 1:08

### REGULAR MEETING AGENDA

THURSDAY, JUNE 16, 2016 7:00 p.m.  
Benjamin Parker Elementary School Cafeteria  
45-259 Waikalua Road, Kāne'ohe, 96744

**Rules of Speaking:** To ensure the maximum opportunity for all attendees to be heard, the following guidelines will apply: Anyone wishing to speak is asked to raise their hand and when recognized by the Chair, to address their comments to the Chair. All official reports, comments or concerns shall be three (3) minutes or less.

**Please Kōkua:** Silence all electronic devices – show respect for speakers – presentation timelines are approximate. Presenters should be prepared to present when called.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds vote (12) of this 17-member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

- |                                                                                                                                         |             |
|-----------------------------------------------------------------------------------------------------------------------------------------|-------------|
| I. CALL TO ORDER – Chair Mo Radke                                                                                                       | 7:00 - 7:01 |
| II. FILLING OF VACANCIES ON BOARD - There are three (3) Vacancies in Sub-districts 8, 9, and 12(vote on Davlantes)                      | 7:01 - 7:02 |
| III. CITY/STATE MONTHLY REPORTS (3 minutes each)                                                                                        | 7:02 - 7:11 |
| A. Honolulu Fire Department                                                                                                             |             |
| B. Honolulu Police Department                                                                                                           |             |
| C. Marine Corps Base Hawaii                                                                                                             |             |
| D. RESIDENTS / COMMUNITY CONCERNS (3 minutes each)                                                                                      | 7:11 - 7:27 |
| IV. ELECTED OFFICIALS                                                                                                                   | 7:27 - 7:47 |
| A. Governor Ige's Representative                                                                                                        |             |
| B. Mayor Kirk Caldwell's Representative                                                                                                 |             |
| C. Councilmember Ikaika Anderson                                                                                                        |             |
| D. Senator Jill Tokuda                                                                                                                  |             |
| E. Representative Ken Ito                                                                                                               |             |
| F. Representative Jarrett Keohokalole                                                                                                   |             |
| V. COMMUNITY ORGANIZATIONS                                                                                                              | 7:47 - 7:57 |
| A. Windward Community College                                                                                                           |             |
| B. Hawaii Pacific University                                                                                                            |             |
| C. Blue Zones Project                                                                                                                   |             |
| VI. BOARD BUSINESS                                                                                                                      |             |
| A. Puohala Noise Mitigation Resolution introduced, discussion with decision making. Camille Komine, Elizabeth Lee, Thomas Aki           | 7:57 - 8:07 |
| B. Proposed Neighborhood Plan Amendment – Voter eligibility and registration Letter introduced, discussion and decision making.         | 8:07 – 8:17 |
| C. Ko'olau sustainable Communities Plan – a letter requesting an extension from DPP will be introduced, discussed with decision making. | 8:17 – 8:18 |
| D. Nancy Davlantes – Vote to reappoint to the Board.                                                                                    | 8:18 - 8:28 |
| E. Three (3) Absence Letter – Gloria Carlile                                                                                            | 8:28 – 8:32 |
| F. Adoption of the April 21, 2016 Regular meeting minutes.                                                                              | 8:32 – 8:36 |
| G. Adoption of the May 2, 2016 Agenda Planning meeting minutes.                                                                         | 8:36 – 8:38 |
| H. Adoption of the June 7 Agenda Planning meeting minutes.                                                                              |             |

VII. COMMITTEE REPORTS (SPECIAL) (Limited to three (3) minutes each)

8:38 – 8:48

- A. Haiku Stairs Special Task Force – Chair Maurice Radke
- B. Emergency Management Planning Committee – Bill Sager
- C. State Hospital Master Plan Review PIG – Chair Bill Sager

COMMITTEE REPORTS (Standing)

- D. Treasurers Report – Felipe San Nicolas
- E. State Legislature Committee – Co Chairs – Jon Hanks, Mo Radke
- F. City and County Ordinance Committee – Vacant
- G. Public Health and Safety – Chair Felipe san Nicolas
- H. Safety Committee – Co-Chairs Felipe San Nicolas, Bill Sager
  - I. Planning Committee – Chair Mahealani Cypher
  - J. Transportation Committee – Chair Holly Sevier
- K. Education Committee – Chair Lori Zakahi
- L. Environmental Committee – Chair Bill Sager
- M. Windward Civilian/Military Committee – Vacant
- N. OMPO Citizen Advisory Committee – Chair Dennis Sanada
- O. Community Engagement Committee – Chair Bill Sager
- P. Kaneohe Bay Regional Council – Board Rep: Mo Radke
- Q. Homelessness Committee – Chair Deborah Collins
- R. Hawaii State Hospital – Chair Bill Sager

IX. ANNOUNCEMENTS

- A. Next Regular Board Meeting – Thursday July 21, 2016 at 7:00 p.m. at Benjamin Parker School
- B. Next Agenda Planning Meeting – Tuesday July 5, 2016 at 7:00 p.m. at Kaneohe Community and Senior Center as follows:
  - 1. Call to Order
  - 2. Proposed Briefings
    - a. Community Concerns
  - 3. Board Business
    - a. Committee discussions
  - 4. Adjourn

X. ADJOURNMENT

A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant James Skizewski at (808) 768-3705 or e-mail james.skizewski@honolulu.gov. Agendas and minutes are also available on the internet at [www1.honolulu.gov/nco](http://www1.honolulu.gov/nco). Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m. at least 24 hours before the scheduled meeting.

AGENDA PLANNING COMMITTEES' MEETING MINUTES

Tuesday, June 7, 2016  
Kāneʻohe Windward Senior Center  
7:00 p.m.

Meeting was called to order by Chair Radke at 7:00 pm.  
Board Members Present: Mo Radke, Bill Sager, Jon Hanks, Don Dawson  
Guests – Camille Komine Thomas Aki, Elizabeth Lee

Deborah Collins arrived at 7:02 pm  
Publicity committee – Fred Collins

Discussion:

Nancy Davlantes – Reappointment to the Neighborhood Board. Board members will discuss and vote at the June Meeting.

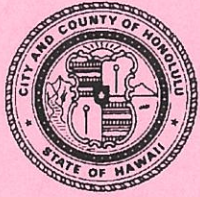
Puohala – Residents brought up safety concern about farm animals living in a residential area. Specifically, Peacocks that roam around Puohala Neighborhood. The Peacocks are very loud and disturbing to the residents and are also health hazard. The residents explained that HPD officer Komikona has committed to help resolve the issue. A neighbor who was the alleged owner of the Peacocks had previously denied ownership to avoid a previous citation. This same resident was issued another citation and there is a court date upcoming. A resident reported that the same neighbor in Puohala also breeds fighting dogs and chickens. Thomas added he also had ducks, geese and pot belly pigs. A resident also stated the neighbor has at least a dozen chickens and by law, is only allowed two. The residents believe the offending neighbor is dangerous and retaliatory. The concerned residents stated that they have called many government agencies to have the peacocks removed and been told that it is not in their jurisdiction. Chair Mo suggested the group write a resolution and have it introduced by the board member in Puohala. Mr. Collins mentioned that Senator Jill Tokuda lives in Puohala Neighborhood. Deborah stated that she knows of the neighbor and the issue and has volunteered to help the group write the Puohala Noise Mitigation Resolution. The resolution will be introduced at the June Regular meeting with decision making.

Proposed Neighborhood Plan Amendment – Voter eligibility and registration letter to be sent to NCO Secretary Hanamoto and commission members. Letter will be introduced with decision making.

Koʻolau sustainable Communities Plan – A letter requesting an extension from DPP will be introduced with decision making.

Meeting Adjourned at 7:58 pm





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON PUBLIC WORKS, INFRASTRUCTURE AND SUSTAINABILITY

### Voting Members:

Carol Fukunaga, Chair  
Ikaika Anderson, Vice Chair  
Brandon J.C. Elefante  
Joey Manahan  
Trevor Ozawa

RECEIVED  
CITY CLERK  
C & C OF HONOLULU  
2016 JUN -9 PM 12:40

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
WEDNESDAY, JUNE 15, 2016  
1:00 P.M.

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 1:00 p.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out a registration form in person; or
- By calling 768-3814.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

If submitted, written testimonies, including the testifier's address, e-mail address and phone number, may be posted by the City Clerk and available to the public on the City's DocuShare Website.

\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3814 or send an email to [jyamane1@honolulu.gov](mailto:jyamane1@honolulu.gov) at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publishid=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.



**FOR APPROVAL**

MINUTES OF MAY 18, 2016

**FOR ACTION**

1. **RESOLUTION 16-147 – INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF HAWAII, DEPARTMENT OF HEALTH.** Authorizing the Director of Budget and Fiscal Services or the Director of Budget and Fiscal Services' designee to enter into an intergovernmental agreement with the State of Hawaii, Department of Health for the allotment of funds for operating and maintaining a glass recycling program. (Transmitted by Communication D-378)
2. **BILL 40 (2016) – RELATING TO MAINTENANCE OF PRIVATE STREETS AND ROADS.** Addressing the maintenance of private streets and roads. (Bill 40 passed first reading 6/1/16)
3. **BILL 41 (2016) – RELATING TO THE INFRASTRUCTURE.** Clarifying the applicability of state laws to vehicles and traffic upon private roads, highways, thoroughfares, bicycle paths, and parking stalls that have been continuously used by the general public or are intended for dedication to public use. (Bill 41 passed first reading 6/1/16)



CAROL FUKUNAGA, Chair  
Committee on Public Works,  
Infrastructure and Sustainability



2016 JUN -9 PM 12: 22

AGENDA

Meeting of the Zoning Board of Appeals  
June 16, 2016

Time: 12:30 p.m.  
Place: **Mission Memorial Conference Room**  
Mission Memorial Building  
550 South King Street  
Honolulu, Hawaii 96813

I. CALL TO ORDER

II. CONTESTED CASE HEARINGS

- A. (2015/ZBA-13) – MICHAEL AND KIMBERLY DeCAPRIO, ROY INOUE, CARLETON R. CRAMER, JAMES AND ARLETTE MILLWOOD, DOUG AND SILKE WALLACE, AVIS THOMAS, KEITH AND CORINNE YONEDA, RON AND KATY LaVECCHIO, and ALIKA AKIONA, 95-999 Pikokea Street, Mililani (New Hope Central Oahu).

FOR ACTION

1. Request to Intervene
  - a. Letter dated April 14, 2016 from Christine Ruotola (Group 70 International)
  - b. Director of the Department of Planning and Permitting's Statement of No Opposition Regarding New Hope Central Oahu's Application to Intervene Filed April 19, 2016
  - c. Letter dated June 8, 2016 from Roy Inouye



- B. **(2015/ZBA-9) – ROBERT W. AND MADELAINE KLEINMAN**, 61  
L'Orange Place, Kailua.

FOR ACTION

1. Order Denying the Petitioner's Motion in Limine to Exclude Respondent Evidence, Enforce Witness Exclusion Rule, and Bar Respondents from Calling Petitioner as a Witness
  - a. Petitioners' Objections to Proposed Order Denying Petitioners' Motion in Limine
2. Order Denying the Petitioner's Motion for Judgment on the Pleadings
  - a. Petitioners' Objections to Proposed Order Denying Petitioners' Motion for Judgment on the Pleadings
3. Director of the Department of Planning and Permitting's Proposed Findings of Fact, Conclusions of Law, and Decision and Order
  - a. Petitioners' Objections to Proposed Findings of Fact, Conclusions of Law, and Decision and Order

III. ADJOURNMENT

Information

The next meeting of the Board is Thursday, June 30, 2016 at 12:30 p.m.

\*\*\*\*\*

Note: If you require special assistance, auxiliary aid and/or service to participate in the Zoning Board of Appeals meeting (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluluodpp.org](mailto:info@honoluluodpp.org) at least three business days prior to the event. Prompt requests will help ensure the availability of services and accommodations.

\*\*\*\*\*



**MAKIKI/ LOWER PUNCHBOWL/ TANTALUS NEIGHBORHOOD BOARD NO. 10**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA**

**THURSDAY, JUNE 16, 2016**

**6:30 P.M. – 8:30 P.M.**

**MAKIKI DISTRICT PARK, 1527 KEEAUMOKU STREET**

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C OF HONOLULU  
2016 JUN -9 AM 11:50

**Rules of Speaking:** Anyone wishing to speak is asked to raise his/her hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments to less than three (3) minutes, and those giving reports are urged to keep their reports to less than three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

1. **CALL TO ORDER** – Chair John Steelquist
2. **FILLING OF VACANCIES** – One (1) seat in Subdistrict 2 (Kinau, Lower Makiki, Kewalo)
3. **CITY MONTHLY REPORTS**
  - 3.1 Honolulu Fire Department
  - 3.2 Honolulu Police Department
  - 3.3 Board of Water Supply – Michael Cubas
  - 3.4 Honolulu Authority for Rapid Transit – Pat Lee
4. **RESIDENTS'/COMMUNITY CONCERNS:** Because of the "Sunshine Law," concerns may be presented, but no Board action can be taken.
5. **CITY REPORTS**
  - 5.1 City Councilmember Ann Kobayashi (Council District 5)
  - 5.2 City Councilmember Carol Fukunaga (Council District 6)
  - 5.3 Mayor Kirk Caldwell's Representative – Director Guy Kaulukukui, Enterprise Services
6. **STATE ELECTED OFFICIALS**
  - 6.1 Senator Brian Taniguchi (District 11)
  - 6.2 Senator Brickwood Galuteria (District 12)
  - 6.3 Representative Sylvia Luke (District 25)
  - 6.4 Representative Della Au Belatti (District 24)
  - 6.5 Governor's Representative – Director Ford Fuchigami, Department of Transportation (HDOT)
7. **UNFINISHED BUSINESS**
  - 7.1 City Office of Strategic Development Hassinger Street Project
  - 7.2 Complete Streets Project
  - 7.3 Candidate Forum in July 2016
  - 7.4 Makiki District Park Parking Lot
  - 7.5 Skyline Honolulu
  - 7.6 Sidewalk on Nehoa Street near Hanahau'oli School
  - 7.7 The Shaloha Quest
  - 7.8 Makiki District Park
  - 7.9 King Street Cycle Lanes
  - 7.10 Road Maintenance on Round Top Drive
  - 7.11 Dog Park Update
  - 7.12 No Sidewalks in the Cartwright Field Area
8. **BOARD BUSINESS**
  - 8.1 Approval of the May 19, 2016 Regular Meeting Minutes
  - 8.2 Treasurer's Report

**9. COMMITTEES**

- 9.1 Planning and Zoning
- 9.2 Transportation
- 9.3 Health, Safety, and Wellness
- 9.4 Sidewalks

**10. ANNOUNCEMENTS**

- 10.1 Next Meeting: The next Makiki/Lower Punchbowl/Tantalus Neighborhood Board No. 10 meeting will be held on Thursday, July 21, 2016.
- 10.2 Broadcast: The meetings can be viewed on `Olelo FOCUS 49 at 9:00 p.m. on the first Friday of the month and again on the first and third Sunday at 3:00 p.m.

**11. ADJOURNMENT**

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawai'i 96813; Telephone (808) 768-3710 or Fax (808) 768-3711; or call Neighborhood Assistant Supervisor Neil Baarde at 768-3770; E-mail – [nbaarde@honolulu.gov](mailto:nbaarde@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between 8:00 a.m. and 4:00 p.m., at least 24-hours before the scheduled meeting.

ETHICS COMMISSION  
**CITY AND COUNTY OF HONOLULU**

715 SOUTH KING STREET, SUITE 211, HONOLULU, HAWAII 96813-3091  
Phone: (808) 768-7786 · Fax: (808) 768-7768 · EMAIL: [ethics@honolulu.gov](mailto:ethics@honolulu.gov)  
Internet: [www.honolulu.gov/ethics](http://www.honolulu.gov/ethics)

KIRK CALDWELL  
MAYOR



CHARLES W. TOTTO  
EXECUTIVE DIRECTOR & LEGAL COUNSEL

**AGENDA**

Honolulu Ethics Commission  
**June 15, 2016 – 11:30 a.m.**  
Standard Financial Plaza  
Conference Room, Suite 211  
715 South King Street  
Honolulu, Hawaii 96813

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2016 JUN -9 AM 10:56

**THE PUBLIC IS ENCOURAGED TO SUBMIT WRITTEN TESTIMONY AND/OR  
SPEAK ON ANY AGENDA ITEM BELOW.**

**SPEAKER REGISTRATION**

- Prior to the Day of the Meeting: Persons wishing to testify are requested to register their name, phone number and agenda subject matter via email at [ethics@honolulu.gov](mailto:ethics@honolulu.gov); or calling 768-7787 or 768-7791.
- On the Day of the Meeting: Persons who have not registered to testify by the time the Commission meeting begins will be given the opportunity to speak on an item following the oral testimonies of the registered speakers.
- Each speaker is limited to three minute presentations on each item.

**WRITTEN TESTIMONY**

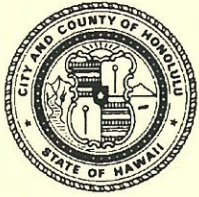
- Prior to the Day of the Meeting: Testimony may be emailed to [ethics@honolulu.gov](mailto:ethics@honolulu.gov) or faxed to 768-7768.
- On the Day of the Meeting: 10 copies are requested if written testimony is submitted on-site.

**ORDER OF BUSINESS**

- I. CALL TO ORDER
- II. NEW BUSINESS

- A. For Action: Motion to Approve the Open Session Minutes of the May 18, 2016 Meeting.
  - B. Executive Director and Legal Counsel's Administrative Report.
    - 1. Work Reports from Staff Members.
    - 2. General Statistics (Pending Complaints Requiring Investigation and Requests for Advice, Ethics Training, Website Hits).
    - 3. FY 2016 Budget Report.
    - 4. FY 2017 Budget Report.
    - 5. Move to Kapalama Hale.
    - 6. Charter Amendments Report Regarding Ethics Laws.
  - C. For Discussion and Action: Modification of Personnel Evaluation Form for the Executive Director and Legal Counsel.
- III. EXECUTIVE SESSION (The following agenda items will be reviewed in executive session pursuant to Section 92-5(a)(2), Hawaii Revised Statutes (HRS), to consider the hire, evaluation, dismissal, or discipline of an officer or employee or of charges brought against the officer or employee, where consideration of the matters affecting privacy will be involved; HRS Section 92-5(a)(4), to consult with the Commission's attorney on questions and issues pertaining to the Commission's powers, duties, privileges, immunities and liabilities; or HRS Section 92-5(a)(8) to deliberate or make a decision upon a matter that requires consideration of information that must be kept confidential pursuant to state or federal law or court order.)
- A. For Action: Pursuant to HRS Sec. 92-5(a)(2) and (a)(4), Motion to Approve the Minutes of the Executive Session of the May 18, 2016 Meeting.
  - B. For Discussion and Action: Pursuant to HRS Sec. 92-5(a)(4) Consultation with the Commission's attorney regarding questions and issues pertaining to the Commission's powers, duties, privileges, immunities, and liabilities with respect to resolution of Executive Director and Legal Counsel's possible civil claim against the Ethics Commission.
- IV. ADJOURNMENT





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

COMMITTEE ON PARKS,  
COMMUNITY & CUSTOMER  
SERVICES

**Voting Members:**

Kymberly Marcos Pine, Chair  
Ron Menor, Vice Chair  
Brandon J.C. Elefante  
Carol Fukunaga  
Joey Manahan

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
TUESDAY, JUNE 14, 2016  
10:30 A.M.

### SPEAKER REGISTRATION

Persons wishing to testify are requested to register by 10:30 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
- By faxing to 768-3827 your name, phone number and the agenda item;
- By filling out a registration form in person; or
- By calling 768-3819.

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& C OF HONOLULU  
2016 JUN -8 PM 2:04

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

### WRITTEN TESTIMONY

Written testimony may be faxed to 768-3827 or transmitted via the internet at <http://www.honolulu.gov/ccl-testimony-form.html> for distribution at the meeting.

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\* \* \* \* \*

Accommodations are available upon request to persons with disabilities, please call 768-3819 or send an email to [darcie.nago@honolulu.gov](mailto:darcie.nago@honolulu.gov) at least three working days prior to the meeting.

The meeting is viewable by: (1) internet live streaming through <http://olelo.granicus.com/MediaPlayer.php?publish id=92>; (2) televised live broadcast on Olelo TV Channel 54; or (3) after the meeting, viewable at <http://www.honolulu.gov/council/cclmeetings/ccl-archived-meetings-agendas.html>. Copies of older meeting videos may be requested by calling the City Clerk's Office at 768-5822, charges may apply.



**FOR APPROVAL**

MINUTES OF MAY 17, 2016

**FOR ACTION**

1. **RESOLUTION 16-148 – ACCEPTANCE OF GIFT FROM THE ARMA HAWAII CHAPTER.** Accepting the gift of travel valued at \$1,800.00 from the Association of Records Managers and Administrators (ARMA) Hawaii Chapter for the Records Management Analyst to attend the Pacific/Greater Northwest Leadership Meeting at Reno, Nevada from July 28, 2016 to July 30, 2016. (Transmitted by Communication D-383)
2. **RESOLUTION 16-142 – APPOINTMENT OF RICHARD OSHIRO TO SERVE ON THE NEIGHBORHOOD COMMISSION.** Approving Richard Oshiro as one of the Council Presiding Officer's appointments to the Neighborhood Commission for a term expiring on June 29, 2021.

Related communication:

**COMMUNICATION D-343 – COUNCIL APPOINTMENT OF NEIGHBORHOOD COMMISSION MEMBERS.** From the Neighborhood Commission Office, informing the Council of two vacancies.

3. **RESOLUTION 16-143 – APPOINTMENT OF \_\_\_\_\_ TO SERVE ON THE NEIGHBORHOOD COMMISSION.** Approving \_\_\_\_\_ as one of the Council Presiding Officer's appointments to the Neighborhood Commission for a term expiring on June 29, 2020.

Related communication:

**COMMUNICATION D-343 – COUNCIL APPOINTMENT OF NEIGHBORHOOD COMMISSION MEMBERS.** From the Neighborhood Commission Office, informing the Council of two vacancies.

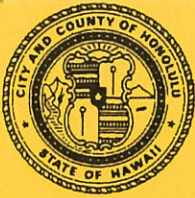
Committee on Parks, Community & Customer Services Agenda  
Tuesday, June 14, 2016

4. **RESOLUTION 16-139 – ACCEPTANCE OF GIFT FROM REGION IV, AAMVA.**  
Accepting the gift valued at \$1,514 for airfare, lodging and meals for the Licensing Administrator to attend the Region IV American Association of Motor Vehicle Administrators (AAMVA) Chief Administrator's meeting in Portland, Oregon from May 16, 2016 through May 19, 2016. (Transmitted by Communication D-353)



KYMBERLY MARCUS PINE, Chair  
Committee on Parks, Community &  
Customer Services





# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
HONOLULU, HAWAII 96813-3077

## COMMITTEE ON PUBLIC HEALTH, SAFETY AND WELFARE

### Voting Members:

Ron Menor, Chair  
Brandon J.C. Elefante, Vice Chair  
Ann H. Kobayashi  
Trevor Ozawa  
Kymberly Marcos Pine

## AGENDA

REGULAR MEETING  
COMMITTEE MEETING ROOM  
TUESDAY, JUNE 14, 2016  
9:00 A.M.

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2016 JUN -8 PM 1:07

### SPEAKER REGISTRATION:

Persons wishing to testify are requested to register by 9 a.m. as follows:

- On-Line at <http://www.honolulu.gov/ccl-testimony-form.html>;
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- By filling out the registration form in person; or
- By calling 768-3815.

Persons who have not registered to testify will be given an opportunity to speak on an item following oral testimonies of the registered speakers.

Each speaker is limited to a **one-minute** presentation.

### WRITTEN TESTIMONY:

Written testimony may be faxed to 768-3827 or transmitted via internet at <http://www.honolulu.gov/ccl-testimony-form.html>; for distribution at the meeting.

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\* \* \* \* \*

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**FOR APPROVAL**

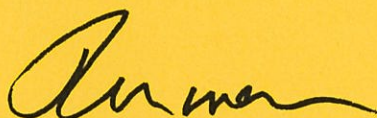
MINUTES OF APRIL 26, 2016

**FOR ACTION**

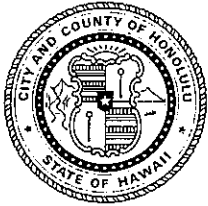
1. **RESOLUTION 16-116 – APPOINTMENT OF JOSEPH J. MILLER.** Relating to the appointment of Joseph J. Miller to serve on the Citizens Advisory Commission on Civil Defense of the City and County of Honolulu. (Transmitted by Communication MM-37) (Public hearing held on 6/1/16)
2. **RESOLUTION 16-140 – ACCEPTANCE OF GIFT.** Relating to the acceptance of a gift to the City from the National Fire Protection Association valued at \$2,000, to pay for travel expenses for Fire Chief Manuel P. Neves to attend the 2016 State Fire Marshals' Forum on November 2-4, 2016. (Transmitted by Communication D-354)
3. **RESOLUTION 16-144 – ACCEPTANCE OF GIFT.** Relating to the acceptance of a gift to the City from the National Association of State Fire Marshals valued at \$1,640, to pay for travel expenses for Fire Chief Manuel P. Neves to attend the 2016 National Association of State Fire Marshals' Conference on July 19-21, 2016. (Transmitted by Communication D-359)
4. **RESOLUTION 16-138 – OVERT VIDEO MONITORING.** Authorizing the use of overt video monitoring in the City and County of Honolulu to prevent and deter general criminal activity and achieve the legitimate law enforcement objective and legitimate public purpose of ensuring a safe and secure 2016 International Union for Conservation of Nature and Natural Resources (IUCN), 2016 IUCN World Conservation Congress. (Transmitted by Communication D-351) (Public hearing held on 6/1/16)



5. **RESOLUTION 16-151 – EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM 2016 LOCAL SOLICITATION.** Authorizing the Chief of Police of the Honolulu Police Department to apply for and to enter into an agreement with the Bureau of Justice Assistance, U.S. Department of Justice, for funds from the Edward Byrne Memorial Justice Assistance Grant Program FY2016 Local Solicitation. (Transmitted by Communication D-385)



RON MENOR, Chair  
Committee on Public Health, Safety  
and Welfare



# CITY COUNCIL

CITY AND COUNTY OF HONOLULU  
530 SOUTH KING STREET, ROOM 202  
HONOLULU, HAWAII 96813-3065  
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

**TREVOR OZAWA**  
*Councilmember – District IV*  
Phone: (808) 768-5004  
Fax: (808) 768-1204  
[ccldistrict4@honolulu.gov](mailto:ccldistrict4@honolulu.gov)  
[www.honolulu.gov/council/d4](http://www.honolulu.gov/council/d4)

## MEMORANDUM

DATE: JUNE 8, 2016

TO: COUNCILMEMBERS  
MANAGING DIRECTOR

FROM: TREVOR OZAWA, CHAIR  
COMMITTEE ON EXECUTIVE MATTERS AND LEGAL AFFAIRS

SUBJECT: CANCELLATION OF THE JUNE 14, 2016 COMMITTEE ON EXECUTIVE  
MATTERS AND LEGAL AFFAIRS MEETING

RECEIVED  
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& C OF HONOLULU  
2016 JUN - 8 PM 12: 32

Please be advised that the Committee on Executive Matters and Legal Affairs meeting scheduled for Tuesday, June 14, 2016 at 1:00 p.m. has been cancelled.

Thank you for your cooperation.

  
TREVOR OZAWA, Chair  
Committee on Executive Matters and Legal Affairs

cc: City Clerk's Office  
Office of Council Services  
Office of the City Auditor  
Council Receptionist  
Council Telecasting Director  
Department of the Corporation Counsel





## KAIMUKI NEIGHBORHOOD BOARD NO. 4

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

Wednesday, June 15, 2016

Kaimuki Christian Church, Fellowship Hall

1117 Koko Head Avenue

7:00 p.m. to 9:00 p.m.

2016 JUN - 8 AM 11:45  
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**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports to three (3) minutes or less. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda.

All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting.

If within 48 hours, written and/or oral testimony may be submitted directly to the Board at the meeting.

**If submitting written testimony, please note the Board and agenda item(s) your testimony concerns.**

Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813.

Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).

1. **Call to Order:** Chair Lyle Bullock Jr.
2. **Public Safety Reports:**
  - 2.1 Honolulu Police Department (HPD)
  - 2.2 Honolulu Fire Department (HFD)
  - 2.3 Board of Water Supply (BWS)
3. **Filling of Vacant Board Seats:** There are two (2) vacancies on the Board. One (1) vacancy is in Sub-district 1, East Kaimuki and Business District and one (1) vacancy in Sub-district 3, West Kaimuki. Residents interested in filling a vacant board seat must bring current proof of residency to the Board meeting.
4. **Elected Officials:** Limited to three (3) minutes each
  - 4.1 Mayor Kirk Caldwell's Representative: Director Mark Wong, Department of Information Technology
  - 4.2 Councilmember Ann Kobayashi (City Council District 5)
  - 4.3 Councilmember Trevor Ozawa (City Council District 4)
  - 4.4 Governor David Ige's Representative: Pankaj Bhanot, Deputy Director, Department of Human Services (DHS) or Leonard Hoshijo, Deputy Director, Department of Labor and Industrial Relations (DLIR)
  - 4.5 State Senator Sam Slom (Senate District 9)
  - 4.6 State Senator Les Ihara Jr. (Senate District 10)
  - 4.7 Speaker Emeritus Calvin K.Y. Say (Representative District 20)
  - 4.8 State Representative Bertrand Kobayashi (Representative District 19)
5. **Board Administration and Discussions:**
  - 5.1 Approval of the May 18, 2016 Regular Meeting Minutes
  - 5.2 Envision Kaimuki Support Request
  - 5.3 Public parking, issues with metered, residential and loading zones.
6. **Reports:**
  - 6.1 Treasurer's Report
  - 6.2 Members attendance at other Meetings
7. **Public Input:** Limited to three (3) minutes each  
Items that are not listed on the agenda may be discussed but no Board action may be taken.

**8. Announcements:**

- 8.1 Envision Kaimuki Meeting will be held June 27, 2016, 6:00 p.m. at the Kaimuki Christian Church, Fellowship Hall located on 1117 Koko Head Avenue.
- 8.2 The next regular meeting of the Kaimuki Neighborhood Board No. 4 will be held on Wednesday, July 20, 2016, 7:00 p.m. at the Kaimuki Christian Church, Fellowship Hall located on 1117 Koko Head Avenue.

**9. Adjournment**

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone (808) 768-3710 or Fax (808) 768-3711; Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

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# OAHU WORKFORCE DEVELOPMENT BOARD

2016 JUN -8 AM 10:02

innovation + opportunity + economic growth + human capital

## FULL BOARD MEETING

June 16, 2016 • 9:00 am to 11:00 am (approximate)

The Queen's Medical Center  
Queen's Conference Center – Board Room  
1301 Punchbowl Street; Honolulu, Hawaii 96813

## AGENDA

- I. Call to Order and Welcome
- II. Approval of Agenda
- III. Public comment on issues on agenda or, if not on agenda, for consideration for board's agenda at next meeting
- V. Welcome and Introductions
- VI. Presentation & Discussion:
  - Career Pathways and Sector Strategies
  - Guest Speaker: Ms. Bernadette Howard, State Director
  - State of Hawaii -- Career and Technical Education Office
- VII. Executive Director's Report
- VIII. Permitted Interaction Groups (Board action may be taken):
  - A. Interim OWDB Local Plan Team – update, potential addition of Board members
  - B. Nanakuli Library Business Advisory Ad Hoc Team – update, potential addition of Board members
  - C. Manoa Library Innovation Maker Space Business Advisory Ad Hoc Team – update, potential addition of Board members
- X. Announcements
- XI. Adjournment

Any physically challenged person requiring special assistance, please contact us at 768-5889 and/or email [owib@honolulu.gov](mailto:owib@honolulu.gov) for details at least 24 hours prior to meeting date



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HONOLULU POLICE COMMISSION  
City and County of Honolulu  
State of Hawaii  
Regular Meeting  
June 15, 2016

2016 JUN -7 PM 4: 24

TIME: Wednesday, June 15, 2016, 2:00 p.m.  
PLACE: Honolulu Police Department, Alapai Station  
Conference Room A  
801 South Beretania Street, First Floor  
Honolulu, Hawaii 96813

AGENDA

- I. CALL TO ORDER
- II. ASCERTAINMENT OF QUORUM
- III. CHIEF OF POLICE REPORT
  1. Events
  2. Highlights
- IV. APPROVAL OF MINUTES FOR THE OPEN SESSION OF MAY 18, 2016
- V. NEW BUSINESS
  1. Report on actions taken at the May 18, 2016, executive session
- VI. PUBLIC TESTIMONY
  1. Agenda Items
- VII. EXECUTIVE SESSION (Closed to the public)

The following agenda items will be reviewed in executive session pursuant to: HRS 92-5(a), subsections (2), (4), (5), (6) and (8): to consider discipline or charges affecting officer or employee privacy; to consult counsel on Commission powers, duties, privileges, immunities, and liabilities; to investigate possible criminal conduct; to consider sensitive public safety or security matters; and/or to consider information that by law or court order is confidential.

- A. Chief of Police report regarding sensitive matters relating to public safety or security
- B. Approval of the executive session minutes of May 18, 2016

VII. EXECUTIVE SESSION (Continued)

- C. Executive Officer's Report
  - 1. Status of investigations
  - 2. Office status/personnel report
- D. Personnel matters concerning the chief of police
- E. Contested case hearing for former officer Nelson Tamayori, USDC Civil No. CV16-00096 DKW-KSC

VIII. RETURN TO OPEN SESSION FOR ANNOUNCEMENTS AND ADJOURNMENT

IX. ANNOUNCEMENTS

- 1. The next meeting of the Honolulu Police Commission will be on July 6, 2016, at 2 p.m.

X. ADJOURNMENT

Note: For those wishing to present written testimony, please submit your testimony to the Honolulu Police Commission, 1060 Richards Street, Suite 170, Honolulu, Hawaii 96813 by June 14, 2016. For those wishing to present oral testimony, please register thirty (30) minutes before the scheduled meeting. Persons not registered to speak on an agenda item should raise their hands at the time public testimony is invited (Item VI of the agenda) and they will be given an opportunity to speak following oral testimony by any registered speakers. Speaking time will be limited to three minutes.



## WAIALAE-KAHALA NEIGHBORHOOD BOARD NO. 3

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
PHONE: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: [www.honolulu.gov/nco](http://www.honolulu.gov/nco)

### REGULAR MEETING AGENDA

Thursday, June 16, 2016, 7:00 p.m.  
Wesley United Methodist Church  
1350 Hunakai Street

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds (2/3) vote six (6) of this nine (9)-member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

- I. CALL TO ORDER – Vice Chair Les Fukuda
- II. CITY/STATE MONTHLY REPORTS (Limited to three (3) minutes each)
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
  - C. Board of Water Supply
- III. REPORTS OF MEMBERS' ATTENDANCE AT OTHER MEETINGS
- IV. ELECTED OFFICIALS
  - A. Governor David Ige's Representative – Phyllis Shimabukuro-Geiser
  - B. Mayor Kirk Caldwell's Representative – Michele Nekota
  - C. Councilmember Trevor Ozawa (Council District 4)
  - D. Representative Bertrand Kobayashi (House District 19)
  - E. Representative Mark Hashem (House District 18)
  - F. Senator Sam Slom (Senate District 9)
- V. RESIDENTS'/COMMUNITY CONCERNS (Limited to three (3) minutes each)
- VI. BOARD BUSINESS/PRESENTATIONS/OLD BUSINESS
  - Old Business:
    - A. 4607 Kahala Residences Project
  - New Business:
    - A. Benefit event for Hawaii Special Olympics: Ron T. Pate, USATF Hawaii Association
    - B. Outdoor Warning Siren at Kuulei Cliffs (aka Diamond Head Beach Park) – Representatives from the City's Department of Emergency Management (DEM) and the State of Hawaii Emergency Management Agency (HI-EMA) Siren branch
- VII. APPROVAL OF MAY 19, 2016 REGULAR MEETING MINUTES
- VIII. REPORTS (Limited to three (3) minutes each)
  - A. Treasurer's Report
- IX. ANNOUNCEMENTS
  - A. Next Regular Board Meeting – The next regular meeting of the Waialae-Kahala Neighborhood Board No. 3 will be held on Thursday, July 21, 2016.
- X. ADJOURNMENT

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## WAIKIKI NEIGHBORHOOD BOARD NO. 9

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

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### REGULAR MEETING AGENDA

Tuesday, June 14, 2016

Waikiki Community Center

310 Paoakalani Avenue

7:00 p.m. – 9:30 p.m.

Rules of Speaking: Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are allowed two (2) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

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Privacy: This meeting is being recorded for future telecast. Comments made will be part of the video presentation.

Timing: Times on this agenda are a guide only to keep the meeting within the time allotted for use of this facility.

- I. CALL TO ORDER – Chair Robert Finley 7:00 p.m.
- II. CITY MONTHLY REPORTS (Limited to three (3) minutes each)
  - a. Honolulu Fire Department 7:05 p.m.
  - b. Honolulu Police Department 7:08 p.m.
  - c. Board of Water Supply – Dominic Dias 7:20 p.m.
- III. RESIDENTS'/COMMUNITY CONCERNS (Limited to two (2) minutes each) 7:25 p.m.
- IV. 2016 PUBLIC EVENTS (**NOTE: all events are submitted and awaiting City approval/denial**)
  - a. Saturday, July 9, 9:30 a.m. to 11:30 a.m., Family Day (God's Ohana Day) Parade
  - b. Sunday, July 24, 5:20 a.m. to 11:00 a.m., Tinman Triathlon
  - c. Saturday, October 8, 5:00 a.m. to 9:00 a.m., World Peace and Unity in Korea Run/Walk**(NOTE: there are several events at Kapiolani Park not listed here)**
- V. 2016 APPLICATIONS FOR LIQUOR LICENSES
  - a. Thursday, June 16, 2016  
Goma Tai Ramen – 2330 Kalakaua (International Market Place)
  - b. Thursday, June 23, 2016  
STRIP Steak – 2330 Kalakaua (International Market Place)
  - c. Thursday, July 7, 2016  
Holoholo Café and Market (Food Pantry) at Hilton Garden, Package Sales
- VI. ELECTED OFFICIALS AND OTHERS
  - a. Mayor's Representative – Mark Garrity 7:35 p.m.
  - b. Governors Representative – Lynn Fallin 8:00 p.m.
  - c. Council Member – Trevor Ozawa 8:05 p.m.
  - d. Senator – Brickwood Galuteria 8:10 p.m.
  - e. Representative – Tom Brower 8:15 p.m.
  - f. Waikiki Improvement Association – Rick Egged 8:20 p.m.
- VII. APPROVAL OF MINUTES – May 10, 2016 8:30 p.m.
- VIII. NEW BOARD BUSINESS
  - a. Visitor Aloha Society of Hawaii (VASH) 8:31 p.m.
  - b. International Union for Conservation of Nature (IUCN) Conference  
Thursday, September 1, 2016 through Saturday, September 10, 2016 8:45 p.m.

- c. Charter Commission Proposals to Eliminate Neighborhood Boards 9:10 p.m.

IX. REPORTS (Limited to three (3) minutes each)

- a. Treasurer's Report – Pat Shields 9:15 p.m.
- b. Subdistrict 1 Report – Jeff Merz 9:16 p.m.
- c. Subdistrict 2 Report – Walt Flood 9:17 p.m.
- d. Subdistrict 3 Report – Mark Smith 9:18 p.m.
- e. Chair Report 9:19 p.m.
- f. Announcements 9:20 p.m.

**The next regular meeting will be on Tuesday, July 12, 2016 at 7:00 p.m.**

View this meeting on Olelo Channel 49 at 9:00 p.m. on the 4th Tuesday each month, and at 6:00 a.m. on the 1st and 3rd Sunday of each month.

View on line at: [http://olelo.granicus.com/ViewPublisher.php?view\\_id=30](http://olelo.granicus.com/ViewPublisher.php?view_id=30)

X. ADJOURNMENT 9:30 p.m.

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WAIKIKI NEIGHBORHOOD BOARD NO. 9

NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov>

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**REGULAR MEETING AGENDA**

Tuesday, June 14, 2016

Waikiki Community Center

310 Paoakalani Avenue

7:00 p.m. – 9:30 p.m.

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- d. Subdistrict 3 Report – Mark Smith 9:18 p.m.
- e. Chair Report 9:19 p.m.
- f. Announcements 9:20 p.m.

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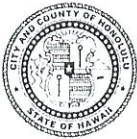
View on line at: [http://olelo.granicus.com/ViewPublisher.php?view\\_id=30](http://olelo.granicus.com/ViewPublisher.php?view_id=30)

- X. ADJOURNMENT 9:30 p.m.

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**AIEA NEIGHBORHOOD BOARD NO. 20**

c/o AIEA LIBRARY • 99-374 POHAI PLACE • AIEA, HAWAII, 96701  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA  
MONDAY, JUNE 13, 2016  
AIEA PUBLIC LIBRARY PROGRAM ROOM  
99-374 POHAI PLACE, AIEA, HI 96701  
7:30 P.M.**

Board Meetings are held on the Second Monday of the Month

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair to address comments to the Chair. Speakers are encouraged to keep their comments to less than three (3) minutes, and those giving reports are urged to keep their reports less than three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), SPECIFIC ISSUES NOT NOTED ON THIS AGENDA CANNOT BE VOTED ON, UNLESS ADDED TO THE AGENDA

1. CALL TO ORDER: William Clark, Chair
2. ROLE CALL OF BOARD MEMBERS
3. FIRST RESPONDER REPORTS
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
4. MONTHLY REPORTS (Limited to three (3) minutes each)
  - A. Mayor's Representative – K. Ho
  - B. Governor's Representative – W. Machida, L. Takayama
  - C. State Officials – State Legislators
  - D. Council Members
  - E. Board of Water Supply – T. Burgo
5. RESIDENTS'/COMMUNITY CONCERNS (Limited to three (3) minutes each)
6. APPROVAL OF REGULAR MEETING MINUTES OF APRIL 2016
7. BOARD BUSINESS
  - A. Re: NP Article 2-14-106, Three (3) absences Board member D. Arakawa – W. Clark
  - B. Re: NP Article 2-14-106, Three (3) absences Board member C. Kimball – W. Clark
8. REPORTS (Limited to three (3) minutes each)
  - A. Treasurer's Report – April and May 2016
  - B. Community Reports
    - i. Aiea Community Association – Next meeting Monday, June 20, 2016 at 7:30 P.M. at the **AIEA PUBLIC LIBRARY PROGRAM ROOM** (address above). For further information call Claire at (808) 429-1282. – C. Tamamoto (<http://www.aieacommunity.org>)
  - C. Other Community Reports
    - i. Live, Work, Play Aiea update (Old Kamehameha Drive-in location) – E. Twer
    - ii. Honolulu Rail Transit Project – P. Lee
  - D. Committees
    - i. Executive – W. Clark
    - ii. Transportation – J. Sugimura
    - iii. Community Relations and Publicity – R. Mizusawa
    - iv. Parks and Recreation – P. Kim

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- v. Planning and Zoning – J. Sugimura
- vi. Restoration and Advisory Board – R. Mobley

9. ANNOUNCEMENTS

- A. Next Meeting – The next Board meeting will be on Monday, July 11, 2016 at the Aiea Public Library Program Room, 99-374 Pohai Place, at 7:30 p.m.
- B. Aiea Neighborhood Board Facebook Account: <http://www.facebook.com/BeautifulAiea>

10. ADJOURNMENT

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WAIMANALO NEIGHBORHOOD BOARD NO. 32

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET <http://www.honolulu.gov/nco>

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**REGULAR MEETING AGENDA**

MONDAY, JUNE 13, 2016

2016 JUN -6 PM 12:40

National Guard Training Auditorium

711 Tinker Road

Bellows Air Force Station, Waimanalo

7:30 p.m.

**Rules of Speaking:** Anyone wishing to speak is asked to raise his/her hand, and when recognized by the Chair, to address comments to the Chair. Speakers and those giving reports are encouraged to keep their comments to less than three (3) minutes. Please silence all electronic devices.

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- I. CALL TO ORDER – Chair Wilson Kekoa Ho
  - A. Welcome Presentation
  - B. Opening Pule
- II. THREE (3) ABSENCES LETTERS FOR ARTHUR MAKANI KEOLA, HERB NAKAMURA, AND JOHNENNE NOE GALEA'I
- III. FILLING OF FOUR (4) VACANCIES ON BOARD (Proof of residency required)
  - A. One (1) in Subdistrict 2 (Core Homes)
  - B. One (1) in Subdistrict 5 (Village Area)
  - C. One (1) in Subdistrict 10 (Farm Lots)
  - D. One (1) in Subdistrict 11 (Hale Aupuni)
- IV. CITY MONTHLY REPORTS (Limited to three (3) minutes each)
  - A. Honolulu Fire Department Report
  - B. Honolulu Police Department Report
  - C. Board of Water Supply Report – Danielle Ornellas
- V. ELECTED OFFICIALS' REPORTS
  - A. Mayor Kirk Caldwell's Representative – Executive Director Jun Yang, Mayor's Office of Housing
  - B. City Councilmember J. Ikaika Anderson – Don Aweau
  - C. Governor David Ige's Representative – Deputy Director Mary Alice Evans, Department of Business, Economic Development, and Tourism
  - D. Senator Laura Thielen – Community Concerns
  - E. Representative Chris Lee
  - F. U.S. Senator Brian Schatz – Kathy Bryant
- VI. APPROVAL OF APRIL 11, 2016 REGULAR MEETING MINUTES AND MAY 9, 2016 MEMORANDUM FOR THE RECORD
- VII. RESIDENTS'/COMMUNITY CONCERNS (Limited to three (3) minutes each)
  - A. Medicinal plant license – Dean Okimoto
  - B. Circle Z Ranch – Sold Parcel to Salvation Army for housing – Rose Lenchenko

- C. Kakaina Homestead – Progress report
- D. Beach run – Edward Kemper
- E. All-American Rodeo Event – Gibson's Ranch
- F. Other community concerns

VIII. BOARD BUSINESS (Discussion/Action)

- A. Kalaniana'ole Highway Improvements – Progress report
- B. Keep Waimanalo, Waimanalo – June 7, 2016 meeting Progress report – Melissa White
- C. Waimanalo Accessory Dwelling Units (ADU) June 7, 2016 Workshop notes – Eileen Lacaden

IX. COMMUNITY ORGANIZATIONS REPORTS (Limited to three (3) minutes each)

- A. Blue Zones Project – Vanessa Stewart and Cherie Andrade
- B. Malama Honua Public Charter School – Principal Denise Espania
- C. Military Reports – Marine Corps Base Hawaii – Tiffany Patrick/Elizabeth Feeney, Bellows Air Force Station – Major Dawn Standridge and Craig Gorsuch, and Hawaii National Guard
- D. Education Reports – Waimanalo Elementary and Intermediate School and Blanche Pope Elementary School
- E. Hawaii Job Corps – Julie Dugan
- F. Waimanalo Health Center – Piilani Kai
- G. University of Hawaii, College of Tropical Agriculture and Human Resources – Ilima Ho-Lastimosa
- H. Emergency Hawaii Hazards Awareness and Resilience Program – Frencha Kalilimoku
- I. Waimanalo Canoe Club – Scotty Reis Moniz
- J. Hui Malama O Ke Kai – Charnay Kalama-McComber
- K. Waimanalo Homestead Association – Paul Richards
- L. Waimanalo Market Co-op – Michael Buck
- M. Waimanalo Ahupua'a Coalition – Bernie Strand

X. ANNOUNCEMENTS

- A. Next Regular Board Meeting – The next Waimanalo Neighborhood Board No. 32 regular monthly meeting is scheduled for Monday, July 11, 2016 at the Hawaii National Guard Training Auditorium, 711 Tinker Road at 7:30 p.m.
- B. 'Ōlelo Broadcast Schedule – The Waimanalo Neighborhood Board No. 32 meetings are broadcast on 'Ōlelo Channel 49 on the fourth (4th) Monday of the month at 9:00 p.m. and on the first (1st) and third (3rd) Saturdays of the month at 3:00 p.m.

XI. ADJOURNMENT

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All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the Board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).





**LILIHA/ PUUNUI/ ALEWA/ KAMEHAMEHA HEIGHTS NEIGHBORHOOD BOARD NO. 14**

HONOLULU HALE • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813 U.S.A.

TEL: (808) 768-3710 • FAX: (808) 768-3711 • E-MAIL: [nco@honolulu.gov](mailto:nco@honolulu.gov)

INTERNET: <http://www1.honolulu.gov/nco>

**REGULAR MEETING AGENDA  
MONDAY, JUNE 13, 2016  
MA'EMA'E ELEMENTARY SCHOOL  
319 WYLLIE STREET  
7:00 P.M. – 9:00 P.M.**

2016 JUN -6 AM 11:14  
CITY CLERK  
6-26-16 HONOLULU

There is a 10 minute time limit on presentations and two (2) minutes on all other reports unless authorized by the Chair. The Chair must first recognize any board member or guest desiring to speak. Questions/testimonies are limited to one (1) minute per speaker and no speaker may comment more than twice on each subject.

Those who interrupt another speaker are out of order and will not be allowed to comment.

**PLEASE SILENCE** ALL PHONES, PAGERS, OR OTHER ELECTRONIC DEVICES.

1. CALL TO ORDER: Robert Stubbs, Chair
2. FILLING OF BOARD VACANCIES: There is one (1) vacancy on the board in Subdistrict 1. Residents interested in filling a vacant board seat are asked to present a valid photo ID or other proof of residence.
3. GOVERNMENT AGENCIES FORUM (Two (2) minutes each)
  - 3.1. Honolulu Fire Department (Kuakini Station)
  - 3.2. Honolulu Police Department (Kalihi Station)
4. RESIDENTS' CONCERNS and RECOGNITIONS: Due to the "Sunshine Law", issues and concerns not listed elsewhere on the board's agenda may be presented, but no board action may be taken.
5. Government Agencies Forum Continued
  - 5.1. District 6 Councilmember – Carol Fukunaga or rep
  - 5.2. District 7 Councilmember – Joey Manahan or rep
  - 5.3. 13th Senatorial District – Suzanne Chun Oakland or rep
  - 5.4. 14th Senatorial District – Donna Mercado Kim or rep
  - 5.5. District 27 Representative – Takashi Ohno or rep
  - 5.6. District 28 Representative – John Mizuno or rep
  - 5.7. Governor's Representative – Keith Yamamoto
  - 5.8. Board of Water Supply – Iris Oda or rep
6. PRESENTATIONS/INTRODUCTIONS:
  - 6.1. Department of Transportation Services Public Transit Division – (Glenn Moir)(site distance issue at bus terminus at Liliha and Namau'u)
  - 6.2. Department of Transportation Services Traffic Engineering Division (Kelly Akasaki [Kuakini Street Extension Project])
  - 6.3. Hunt Companies – (Lori C. Lum) (Hawaii Public Housing Authority – PBR Hawaii Mayor Wright Homes Redevelopment)
  - 6.4. Presentation and action on pedestrian and bike elements of Complete Streets on Nuuanu Avenue and Liliha Street (Councilmember Carol Fukunaga or representative)
  - 6.5. Progression's offshore wind project update (Chris Swartley) [**defer to July 2016**]  
(<https://progressionenergy.sharefile.com/d-s768d83a1a114411a>)
  - 6.6. Department of Transportation Services (Chris Swartley) Public Transit Title VI Program report to the Federal Transit Administration (FTA)
  - 6.7. International Union for Conservation of Nature World Conservation Congress (Tenya Jackman)
7. Approval of May 9, 2016 regular meeting minutes
8. UNFINISHED/ONGOING BUSINESS (if any changes):
  - 8.1. Complete Streets report (**Tyler Dos Santos-Tam**)

- 8.2. Kuakini Street Extension Project update (**Department of Transportation Services/Kelly Akasaki**)
- 8.3. Streets repaving (Houghtailing, Liliha, Lolena, etc.)
- 8.4. Na Pueo Park facility update
- 8.5. Status of Hawaii Public Housing Authority affordable housing project at Lanakila Avenue and School Street
- 8.6. Consideration of and action and vote on NextEra/Hawaiian Electric Company buyout resolution.
- 8.7. Follow-up on letter recommending change of operating hours from 5:00 a.m. to 7:00 a.m. opening at Lanakila Park
9. **NEW BUSINESS:**
  - 9.1. Legislation affecting Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board 14
  - 9.2. Consideration of Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board 14 sponsored disaster preparedness activity (Board Member Carl Campagna)
10. **COMMUNITY ORGANIZATIONS**
  - 10.1. Maemae Elementary SCC
  - 10.2. Maluhia (Kusai Yanagi)
  - 10.3. St. Francis
  - 10.4. Lanakila Multi-Purpose Senior Center
  - 10.5. Other non-profit organizations
11. **BOARD BUSINESS**
  - 11.1. Treasurer's Report (Dale White)
  - 11.2. Report on Oahu Metropolitan Planning Organization (OahuMPO) Citizen Advisory Committee (CAC) [OahuMPO@OahuMPO.org](mailto:OahuMPO@OahuMPO.org) – (Brandon Mitsuda) (CAC meeting is available on the following website: (<http://www.oahumpo.org/citizen/cacmeetingmaterials.html>))
  - 11.3. Sunshine Law online training option at <http://www.honolulu.gov/nco> - status - S. Saito
  - 11.4. Senate District 13 Community Resources Meeting, Wednesday, May 18, 2016, 12:00 p.m. to 2:00 p.m., Aloha Tower Multi-Purpose Room 3 (mall level)
12. **ANNOUNCEMENTS:**
  - 12.1. The next Liliha/Puunui/Alewa/Kamehameha Heights Neighborhood Board 14 regular meeting will be held on **Monday, July 11, 2016** at 7:00 p.m. at the Maemae Elementary School cafeteria.

## ADJOURNMENT

### References:

1. Report Potholes: 768-7777 (City); 536-7852 (State)
2. Report Abandoned Vehicles: 768-2530
3. Report Leaking Water Meters: 748-5000
4. Report feral chickens: 799-7791
5. Report Illegal Dumping to Office of Environmental Services: 768-3401/3203
6. Bulky Item Pickup: [http://www.opala.org/solid\\_waste/bulky\\_item\\_pickup.html](http://www.opala.org/solid_waste/bulky_item_pickup.html). Residents may call (808) 768-3300 or 768-5220 or go online at [www.opala.org](http://www.opala.org) to report illegal dumping, find collection schedule information, or get more information about collection service and notices of violation.
7. Advance Traffic/Travel Information Website <http://www.goakamai.org/Home.aspx>.
8. Hawaii Drug Take-Back Program: <http://hawaii.gov/ag>
9. Homeless Hotline: 791-9359
10. Community Policing Team: 723-8230
11. Complete Streets <http://www.completestreets.org/> or <http://www.facebook.com/HICompleteStreets>
12. Walk Wise Hawaii 535-9091, Lance Rae.

To receive this Board's agenda and minutes, please contact the Neighborhood Commission, City Hall, Room 406, Honolulu, HI 96813; call 768-3710 or fax 768-3711 or visit [www.honolulu.gov/nco/index1.html](http://www.honolulu.gov/nco/index1.html)  
Anyone with questions about accommodations for a physical disability or special physical need at a Neighborhood Board meeting should call the Neighborhood Commission Office at 768-3710, 8:00 a.m. – 4:00 p.m. and at least 24 hours before the scheduled meeting.

**MAHALO**

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C & C OF HONOLULU

LIQUOR COMMISSION  
CITY AND COUNTY OF HONOLULU  
PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 600  
HONOLULU, HAWAII 96813

2016 JUN -3 PM 4:26

AGENDA – FORTY-SIXTH MEETING

THURSDAY, JUNE 9, 2016  
4:00 P.M.

APPROVAL OF MINUTES:

The regular minutes of the 28<sup>th</sup> (2/4/16), 33<sup>rd</sup> (3/10/16), and 36<sup>th</sup> (3/31/16) meetings, and the executive session minutes of the 28<sup>th</sup> (2/4/16) and 33<sup>rd</sup> (3/10/16) meetings, as previously circulated, to be approved by the Commission.

PUBLIC HEARING:

- |    |                                                                                                                                            |                                                                                               |
|----|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| 1. | Appl. No. 16-4202 from<br>Regal Cinemas, Inc., dba<br>Regal Kapolei Commons<br>Stadium 12,<br>4450 Kapolei Parkway,<br>Building J, Kapolei | For a Restaurant General license<br>(Category No. 1 – Standard Bar)<br>(Prelim. Hrg. 4/14/16) |
|----|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|

LICENSE APPLICATIONS:

Special License Application:

- |    |                                                                                             |                                                                                                     |
|----|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| 2. | Appl. No. 16-5953 from<br>KI Ventures, LLC, dba<br>KI Ventures, LLC, at<br>461 Cooke Street | For a Special General license on<br>Saturdays, June 18 and June 25,<br>2016, from 4 p.m. to 11 p.m. |
|----|---------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|



PRELIMINARY HEARINGS:

- |                                                                                                                    |                                                                     |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 3. Appl. No. 16-5559 from<br>Cantina LLC, dba<br>Cantina LLC, 10 North<br>Hotel Street                             | For a Restaurant General license<br>(Category No. 1 – Standard Bar) |
| 4. Appl. No 16-5959 from<br>ECO Supermarket, Inc.,<br>dba ECO Supermarket,<br>Inc., 835 Keeaumoku<br>Street #I-102 | For a Retail General license                                        |

LICENSE APPLICATIONS: (CONT.)

Renewal License Applications:

- |                         |                                                                                                                                                                                                                                                            |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5. Liquor Administrator | Renewal of applications for liquor<br>licenses for fiscal year 2016-2017,<br>except those licensees who/which<br>are brought before the<br>Commission in accordance with<br>HRS Section 281-61, for good<br>cause, will not have their licenses<br>renewed |
|-------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Temporary License Application:

- |                                                                                                    |                                                                                                                                                             |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 6. Appl. No. 16-5981 from<br>S S Management Hawaii,<br>Inc., dba S S<br>Management Hawaii,<br>Inc. | For a Temporary Restaurant<br>General license (Category No. 1 –<br>Standard Bar) at 1718 Kapiolani<br>Boulevard, the current site of<br>Izakaya Mai (R0760) |
|----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|

LICENSE APPLICATIONS: (CONT.)

Stock Transfer Application:

- |                                                                                                                                                                                                          |                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| 7. Appl. No. 16-5977 from R & G Restaurant Group, Inc., dba 3660 On the Rise, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 3660 Waialae Avenue (E1212) | For the approval of transfer of capital stock and notification of new officer and director |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|

REQUESTS:

- |                                                                                                                                                                                 |                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 8. AC2 Limited Liability, dba Bethel Street Tap Room, Dispenser General license (Category No. 3 – Live Entertainment or Recorded Music and Dancing), 1153 Bethel Street (E1499) | Requesting approval to renew its liquor license for fiscal year 2016-2017<br><br>(license in safe keeping) |
| 9. Cybertan Inc., dba Diamonds Gentlemens Club, Dispenser General license (Categories No. 2 and 4 – Nudity; and Hostess), 1661 Kapiolani Boulevard, Bay 4 (E1546)               | Requesting approval to renew its liquor license for fiscal year 2016-2017<br><br>(license in safe keeping) |

REQUESTS: (CONT.)

- |                                                                                                                                                                                                 |                                                                                                            |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| 10. Element Management Group Inc., dba Vice Inferno Hi Brew Co., Brew Pub General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 1200 Ala Moana Boulevard (B0004) | Requesting approval to renew its liquor license for fiscal year 2016-2017<br><br>(license in safe keeping) |
| 11. Fresh Café Chinatown LLC, dba Fresh Café Chinatown LLC, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 1121 Nuuanu Avenue (R1083)          | Requesting approval to renew its liquor license for fiscal year 2016-2017<br><br>(license in safe keeping) |
| 12. Genius Lounge Inc., dba 39 Yoshoku, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 3008 Waialae Avenue (R0917)                             | Requesting approval to renew its liquor license for fiscal year 2016-2017<br><br>(license in safe keeping) |

REQUESTS: (CONT.)

- |                                                                                                                                                                                                                             |                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| 13. HBC Partners LLC, dba<br>Honolulu Burger<br>Company, Restaurant<br>General license<br>(Category No. 2 – Live<br>Entertainment or Record<br>Music and Dancing),<br>4210 Waialae Avenue<br>(R1077)                        | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 14. La Mart Corporation, dba<br>Mimasuya Italiano,<br>Restaurant General<br>license (Category No. 1 –<br>Standard Bar),<br>1341 Kapiolani<br>Boulevard, #101 (R1007)                                                        | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 15. La Rumba LLC, dba<br>ELEVEN44, Dispenser<br>General license<br>(Category No. 3 – Live<br>Entertainment or<br>Recorded Music and<br>Dancing), 1144 Bethel<br>Street (E1476)                                              | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 16. Letellier, Inc., dba<br>Monaco Bar, Dispenser<br>General license<br>(Categories No. 3 and 4 –<br>Live Entertainment or<br>Recorded Music and<br>Dancing; and Hostess),<br>1689 Kapiolani<br>Boulevard, #A/#B<br>(E1443) | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |

REQUESTS: (CONT.)

- |                                                                                                                                                                                                                                                           |                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
| 17. Paradise Inn Hawaii,<br>LLC, dba Tsukiji Fish<br>Market and Restaurant,<br>Cabaret General license<br>(Category No. 1 –<br>Standard Bar), 1450 Ala<br>Moana Boulevard, #4250<br>(I0122)                                                               | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 18. Phuong-xy, Inc., dba<br>King's Korner Sports<br>Bar and Grill, Dispenser<br>General license<br>(Categories No. 2, 3, and<br>4 – Nudity; Live<br>Entertainment or<br>Recorded Music and<br>Dancing; and Hostess),<br>2334 South King Street<br>(E0078) | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 19. Sandpiper Acquisition<br>LLC, dba Polynesian<br>Plaza Hotel, Hotel<br>General license,<br>2131 Kalakaua Avenue<br>(L0057)                                                                                                                             | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |
| 20. S.Y., Corporation, dba<br>Michelle's Restaurant<br>Lounge, Cabaret General<br>license (Category No. 1 –<br>Standard Bar),<br>641 Keeaumoku Street<br>(I0015)                                                                                          | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping) |

REQUESTS: (CONT.)

- |                                                                                                                                                                      |                                                                                                                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| 21. Taylor Investment, Inc.,<br>dba Stadium Foods,<br>Retail General license,<br>4510 Salt Lake<br>Boulevard (D0104)                                                 | Requesting approval to renew its<br>liquor license for fiscal year 2016-<br>2017<br><br>(license in safe keeping)  |
| 22. White Tree Inc., dba<br>Shirokiya, 1450 Ala Moana<br>Boulevard, #2250<br><br>Dispenser Beer and Wine<br>license (E0728)<br><br>Retail General license<br>(D0390) | Requesting approval to renew its<br>liquor licenses for fiscal year<br>2016-2017<br><br>(licenses in safe keeping) |

ADOPTION OF DECISION AND ORDER:

- |                                              |                                       |
|----------------------------------------------|---------------------------------------|
| 23. Club 77<br>(LCV 16-0030)<br>(E0443)      | For adoption of Decision and<br>Order |
| 24. Club Eclipse<br>(LCV 16-0031)<br>(E0941) | do.                                   |



ADJUDICATION HEARINGS:

25. Brandy's Grill  
(LCV 16-0005)  
(E0791)

Licensee failed to make available, for inspection and/or auditing within the City and County of Honolulu, its books and records for the last four (4) years indicating all income, purchases, expenses and employee time records of Licensee's liquor business (Violation of Rule 3-81-17.54(d)) (Date of violation: On or about November 17, 2015)

(Continued from April 21, 2016)

26. Vivian's Liquor & Grocery  
(LCV 16-0037)  
(D0562)

Licensee failed to maintain complete and accurate records in order to properly complete and submit the gross liquor sales report for fiscal year ending June 30, 2015 (Violation of Rule 3-81-17.56) (Date of violation: February 18, 2016)

(Continued from May 12, 2016)

27. Pho Saigon Inc.  
(nka Pho Saigon)  
(LCV 15-0225)  
(R1053)

Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about December 1, 2015)

ADJUDICATION HEARINGS: (CONT.)

28. Chris' Liquor & Grocery  
(LCV 16-0008)  
(D0199)

Licensee, without Commission approval, transferred to another person the Licensee's business for which the Licensee's license was issued, either openly or under any undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate (Violation of Section 281-41(h), HRS) (Date of violation: On or about December 23, 2015, and/or during the period between December 11, 2015 and December 23, 2015)

(Continued from May 19, 2016)

29. Oahu Country Club  
(LCV 15-0211)  
(F0011)

Licensee failed to notify the Commission in writing of the name, age, and place of residence of officers or directors within thirty days from the date of election of such officers or directors (Violation of Section 281-41(i), HRS) (Date of violation: On or about October 26, 2015, and/or during the period between September 25, 2015 and October 26, 2015)

ADJUDICATION HEARINGS: (CONT.)

30. M Nightclub/The Row Bar  
(LCV 16-0041)  
(I0123)
- (1) Licensee employed persons in that section of the licensed premises where liquor is sold, served or consumed without employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about January 31, 2016)
- (2) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, the hiring of licensed security guards (Violation of Section 281-38, HRS) (Date of violation: On or about January 31, 2016)
31. M Nightclub/The Row Bar  
(LCV 16-0018)  
(I0123)
- (1) Licensee failed to immediately prevent or suppress any violent, quarrelsome, disorderly, lewd, immoral, or unlawful conduct of any person on the licensed premises (Violation of Section 281-78(b)(6), HRS) (Date of violation: On or about January 31, 2016)
- (2) Licensee failed to subject its on-duty employees to the constraints of the Liquor Commission Rules (Violation of Rule 3-84-78.01(a)) (Date of violation: On or about January 31, 2016)

ADJUDICATION HEARINGS: (CONT.)

32. Mo-Joe's Sports Bar &  
Grill  
(LCV 15-0044)  
(E1347)

Licensee failed to obtain approval from the Commission in writing, prior to any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner or twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i)) (Date of Violation: On or about December 2, 2014, and/or during the period between November 1, 2014 and December 2, 2014)

(Continued from April 21, 2016)

[History: 7/30/15, 9/3/15, 10/29/15, 1/7/16, 2/18/16, 3/10/16, 4/21/16]

OTHER BUSINESS:

33. Keith M. Kiuchi, Esq. on  
behalf of John Corso

Requesting cancellation of Dispenser General license (Category No. 1 – Standard Bar), issued to Sal Augustus, Inc., dba Hideaway Café, 1913 Dudoit Lane (E0358)

OTHER BUSINESS: (CONT.)

34. Liquor Administrator

Review of Appl. No. 16-3194 from A & H Restaurant LLC, dba Maru-Hi Restaurant, for the transfer of the business and Dispenser General license (Category No. 1 – Standard Bar) of SJH Inc., dba Maru Hi, 95-1249 Meheula Parkway, A-9, Mililani

(Application approved on November 19, 2015; License not yet issued)

35. Liquor Administrator

Review of Appl. No. 15-2957 from Dillingham Restaurant Corporation, dba Dillingham Restaurant Corporation, for a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) at 1461 Dillingham Boulevard

(Application approved on July 30, 2015; license not yet issued)

(First review held on March 3, 2016; applicant given three months to effect its license)

OTHER BUSINESS: (CONT.)

36. Liquor Administrator      Review of Appl. No. 15-2895 from Aloha Beer Company LP, dba Aloha Beer Company, LP, for a Brewpub General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) at 700 Queen Street
- (Application approved on July 9, 2015; license not yet issued)
- (First review held on March 3, 2016; applicant given three months to effect its license)
37. Liquor Administrator      Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to [liquor@honolulu.gov](mailto:liquor@honolulu.gov), or call Tammie Uyechi at 768-7308, at least three (3) business days prior to the meeting.

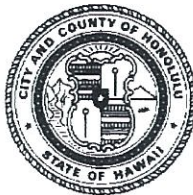


2015-2016  
**CHARTER COMMISSION**  
City and County of Honolulu

Honolulu Hale  
530 South King Street, Room 501  
Honolulu, Hawaii 96813

Telephone: 768-5093  
Email: cclcharter@honolulu.gov

Web Site:  
honoluluchartercommission.org



#### MEMBERS

David W. Rae, Chair  
Kevin Mulligan, Vice Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Guy K. Fujimura  
Donna Ikeda  
Nathan T. Okubo  
Paul T. Oshiro  
Cheryl D. Soon  
Edlyn S. Taniguchi  
R. Brian Tsujimura  
Governor John D. Waihee III  
Pamela Witty-Oakland

### MEETING NOTICE

THURSDAY, JUNE 9, 2016  
3:30 P.M.  
COMMITTEE MEETING ROOM  
HONOLULU HALE

#### AGENDA

I. CALL TO ORDER

Roll Call

II. FOR APPROVAL

Minutes of the meeting of September 24, 2015.

III. DISCUSSION AND ACTION

Discussion and action on Proposal 116 relating to the Clean Water and Natural Fund.  
See Attachment 1.

IV. DISCUSSION AND ACTION

Discussion and action on the Findings and Recommendations by the Permitted Interaction Group established to review proposals relating to Open Government/Citizen Participation pursuant to Hawaii Revised Statutes §92-2.5(b).  
See Attachment 2.

V. EXECUTIVE SESSION

The Commission anticipates going into Executive Session pursuant to Hawaii Revised Statutes §92-4 and §92-5(a)(4) to consult in a closed meeting with the attorneys for the Commission on questions and issues pertaining to Hawaii Revised Statutes §92-7 and related Office of Information Practices opinions regarding Sunshine Law agenda requirements.

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CITY CLERK  
C & C OF HONOLULU  
2016 JUN -3 PM 4:20

## VI. ANNOUNCEMENTS

Next meeting date.

## VII. ADJOURNMENT

### WHERE TO FIND CHARTER PROPOSALS

All proposals are posted in PDF format on the Charter Commission website at <http://www.honoluluchartercommission.org/submitted-proposals>. Hard copies are available for review at the Charter Commission office.

### TESTIFIER REGISTRATION

Persons wishing to testify are requested to register as follows:

- a. By 12:00 noon of the day of the meeting, emailing to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) your name, phone number, and the agenda item; or
- b. By filling out the registration form in person.

Persons who have not registered to testify will be given an opportunity to testify on an item following oral testimonies by the registered testers.

Each tester shall not have anyone else read the tester's statement. Each tester is limited to one minute per agenda item.

### WRITTEN STATEMENT

Written testimony or comments may be submitted online at the Charter Commission website: <http://www.honoluluchartercommission.org>.

Written testimony may be emailed by 12:00 noon of the day of the meeting to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) for distribution at the meeting to the members of the Charter Commission.

If submitted, written testimony, including the tester's address, email address, and phone number, may be posted and available to the public on the Honolulu Charter Commission website <http://www.honoluluchartercommission.org>

### OLELO

The meeting will be telecast live on Olelo. For more information see: <http://www.olelo.org>

### ASSISTANCE

If you require auxiliary aids or services (i.e., ASL or foreign language interpreter, or wheelchair accessibility) to participate in the Charter Commission meetings, please call 768-5093 or send an email to [cclcharter@honolulu.gov](mailto:cclcharter@honolulu.gov) at least three working days prior to the meeting for arrangements. Prompt requests will help ensure the availability of services and reasonable accommodations.

## **ATTACHMENT 1.**

### **#116. Lea Hong; The Trust for Public Land**

In 2006, an overwhelming majority of voters supported the establishment of the Clean Water and Natural Fund, which set aside half-a-percent of real property taxes to protect Oahu's special places. These proposed amendments (1) clarify that monies from the fund are to be spent in a manner consistent with the priorities, recommendations, and rankings of a citizen-expert appointed Commission, (2) split appointment power of the nine-member citizen-expert Commission between the City Council and the Mayor, (3) clarify that grants may be made from the fund to other public agencies and non-profit organizations, and (4) clarify that the City and County of Honolulu need not provide any matching funds for purchases made by the City and County of Honolulu. These amendments seek de-politicize the funding and implementation process. The fund has not completed as many projects as expected despite ever increasing development pressures on O`ahu and high demand by voters for more conservation of land.. This failure to complete projects is due to many factors. One major factor is different elected officials' desires to re-prioritize or overrule projects recommended by the Commission. It takes many months if not years to put together a land conservation project and delays in funding because of shifting priorities can turn landowners away from conservation alternatives. In addition, cooperation between the City Council and Mayor (over several administrations) on completing projects has not occurred, due to the perception by different Mayors that the Commission is appointed and controlled by the Council. There is also confusion and additional expense and potential liability triggered by lack of clarity as to whether the funds may be granted to other public agencies and non-profits without the City owning a conservation easement. And finally, it is not clear whether the City is exempt from matching funds requirements for City owned projects. These proposals attempt to address or clarify these issues or problems.

## **CHAPTER 2**

### **FUND ADMINISTRATION**

#### **Section 9-202. Creation of Funds --**

In addition to the funds established by this charter, the council, on its own initiative or on the recommendation of the mayor, may establish other funds when the council deems it necessary and when no appropriate class of funds exists. (*Reso. 12-113*)

#### **Section 9-204. Clean Water and Natural Lands Fund and Affordable Housing Fund**

--

1. There shall be established a Clean Water and Natural Lands Fund and an Affordable Housing Fund. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent of the estimated real property tax revenues, one-half of which shall be

deposited into the Clean Water and Natural Lands Fund and the remaining onehalf of which shall be deposited into the Affordable Housing Fund.

2. Moneys in the Clean Water and Natural Lands Fund shall be used to provide grants to eligible applicants, including public agencies and non-profit organizations, to purchase land or interests in land consistent with the purposes described herein, or to provide funding to the City and County of Honolulu to purchase land or interests in land consistent with the purposes described herein. Eligible applicants may apply for up to 75% of the purchase price of the land or interest in land. The City and County of Honolulu is exempt from any matching fund requirement. Eligible applicants or the City and County of Honolulu may use grants from or monies from the Clean Water and Natural Lands fund to purchase or otherwise acquire real estate or any interest therein for land conservation in the city for the following purposes: protection of watershed lands to preserve water quality and water supply; preservation of forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conservation of land in order to reduce erosion, floods, landslides, and runoff; and acquisition of public access to public land and open space.

3. Moneys in the Affordable Housing Fund shall be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income through land acquisition, development, construction, and maintenance of affordable housing for sale or for rental, provided that the housing remains affordable in perpetuity.

4. The moneys in each fund may also be used for the payment of principal, interest, and premium, if any, due with respect to bonds issued subsequent to enactment of this section and pursuant to Sections 3-116 or 3-117, in whole or in part, for the purposes enumerated in subsections 2 and 3 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

5. At any given time, no more than five percent of the moneys in each fund shall be used for administrative expenses.

6. Any balance remaining in each fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in each fund shall not be used for any purposes except those listed in this section.

7. All expenditures from the Clean Water and Natural Lands Fund shall be consistent with the recommendations, rankings, or priorities established by a commission ("Commission") of nine members, 4 chosen by the Council, 4 appointed by the Mayor, and 1 jointly selected by the Council and the Mayor, and confirmed by majority vote by the Council. Commission membership shall be governed by the following provisions:

(1) To be eligible for appointment to the Commission, a person shall be a duly registered voter of the city;

(2) At least one member of the commission shall possess scientific qualifications as evidenced by an academic degree in wildlife or marine biology, botany, forestry, ecology, resource management, geography, zoology or geology;

- (3) At least one member shall be a person possessing membership in an environmental or land conservation organization present in the state;
- (4) At least one member shall be a person possessing membership in an agricultural association organized in the state;
- (5) At least one member shall be a person knowledgeable about preserving freshwater quality and freshwater supply;
- (6) At least one member shall be a person knowledgeable about public outdoor recreation and education;
- (7) At least one member shall be a person knowledgeable about Hawaiian culture;
- (8) At least one member shall be a person knowledgeable about the preservation of historic or culturally important land areas and sites;
- (9) Any individual member may fulfill multiple membership requirements;
- (10) The initial appointments shall be three commissioners for a one-year term, three commissioners for a two-year term, three commissioners for a three year term, and thereafter each succeeding appointment shall be for a staggered term ending three years from the date of the expiration of the term for which the predecessor had been appointed, provided that appointees shall serve a maximum of three three-year terms after initially serving any shorter term;
- (11) Any vacancy, whether by term expiration or any other reason, shall be filled by appointment by the Mayor, subject to confirmation by majority vote of the Council;
- (12) Any vacancy occurring other than by expiration of the term of office shall be filled for the remainder of such term;
- (13) The membership shall elect a chair annually;
- (14) A majority of the members shall constitute a quorum;
- (15) All meetings shall be held in city hall or other public places, noticed by the filing of an agenda with the City Clerk at least six days in advance, open to the public, and open to public testimony on all agenda items; and
- (16) The affirmative vote of a majority of the existing membership shall be necessary to take any action, and such action shall be made at a properly noticed meeting open to the public;

The council shall by ordinance establish procedures for the administration and expenditure of moneys in each fund. The appropriations to each fund shall not substitute for, but shall be in addition to, those appropriations historically made for the purposes stated in this section. (2006 General Election Charter Amendment Question No. 3)

#### **Section 9-205. Grants in Aid Fund --**

1. There shall be established a Grants in Aid Fund. Monies in the Grants in Aid Fund shall be used by the city to award grants in aid to federal income tax exempt non-profit organizations that provide services to economically and/or socially disadvantaged populations or provide services for public benefit in the areas of the arts, culture, economic development or the environment.
2. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half of one percent of the estimated general fund revenues which shall be deposited into the Grants in Aid Fund.

3. No less than \$250,000 from the Grants in Aid Fund shall be expended annually in each council district.
4. At any given time, no more than five percent of the moneys in the Grants in Aid Fund shall be used for administrative expenses.
5. Any balance remaining in the fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in the fund shall not be used for any purpose except those listed in this section.
6. The council may waive the requirements of this section of the charter pertaining to the annual appropriation of general fund revenues to the grants in aid fund for any particular fiscal year, when the council finds by a two-thirds vote of its entire membership that an emergency due to a public calamity exists or the city could not otherwise fulfill its legal obligations.
7. There shall be established a grants in aid advisory commission to advise the city on grants issued under this section. The commission shall consist of seven members appointed by the mayor who shall serve for staggered terms of five years and until their successors have been appointed and qualified. The initial appointments shall commence no later than January 15, 2013, and shall be as follows:
  - (a) For a two-year term, two members.
  - (b) For a three-year term, two members.
  - (c) For a four-year term, two members.
  - (d) For a five-year term, one member.
8. The council shall by ordinance establish procedures for the administration and expenditure of the moneys in the fund. (*Reso. 12-44*)



Report of the  
Permitted Interaction Group  
  
On Proposals  
Relating to Open Government  
  
May 16, 2016

Members:  
Pamela Witty-Oakland, Chair  
Judge Michael F. Broderick (Ret.)  
Reginald V. Castanares, Jr.  
Nathan T. Okubo

The Honolulu Charter Review Commission formed a Permitted Interaction Group on March 17, 2016 for the purpose of investigating proposals and issues related to open government, including neighborhood boards, open records, and public participation.

The Open Government Permitted Interaction Group (Group) utilized electronic dialog to facilitate review, research and discussion of the sixteen proposals. The proposals were considered by subject matter.

|                      |                                            |
|----------------------|--------------------------------------------|
| Neighborhood Boards  | Proposals 19, 30, 113, 126 and 129         |
| Open Records         | Proposals 23, 25, 26, 59, 125, 147 and 150 |
| Public Participation | Proposals 24, 40, 99 and 123               |

This report provides the Charter Commission with recommendations for the proposals relating to open government.

## **I. OPEN GOVERNMENT - NEIGHBORHOOD BOARDS**

### **CHARTER PROPOSAL #19:**

**Summary:** The proposal seeks to reduce the number of Neighborhood Boards to one per City Council District.

### **CHARTER PROPOSAL #30:**

**Summary:** The proposal seeks to limit Neighborhood Boards' advisory rules to City and County matters, and consider abolishing the Neighborhood Boards by reviewing participation and other factors.

### **CHARTER PROPOSAL #113:**

**Summary:** The proposal seeks to elect members of Neighborhood Boards in the same cycle as council members of each district, and require nomination papers with at least 40 signatures of voters registered in the district.

### **CHARTER PROPOSAL #126:**

**Summary:** The proposal seeks to make various amendments to Article XIV Boards and Commissions to address significant issues regarding the relationship between the Executive Secretary and the Neighborhood Commission; their respective roles, powers, duties, and functions; and the organization of the neighborhood board system.

### **CHARTER PROPOSAL #129:**

**Summary:** The proposal seeks to confer civil service status on Neighborhood Commission staff except for the Executive Secretary.

**Research/analysis:** “Established in 1973, the mission of the Neighborhood Commission is to increase and assure effective citizen participation in the decisions of government through the establishment of policy, providing oversight and evaluation, as well as facilitating the efficient organization and operation of the Neighborhood Board System.”<sup>ii</sup>

Section 2-13-102 of the Neighborhood Plan defines the powers, duties, and functions of the Neighborhood Boards.

- (a) The boards are responsible for actively participating in the functions and processes of government by identifying, addressing, communicating, and seeking solutions to neighborhood issues and concerns, both within and outside of their respective neighborhood areas. Their actions should reflect the needs, wants, and interests of the neighborhood. Boards may take the initiative in selecting and prioritizing their activities, and provide reasonable means to increase and assure effective citizen participation in the decisions of government.
- (b) The powers, duties, and functions of boards shall include:
  - (1) Increase and assure effective citizen participation in the decisions of government by providing additional and improved opportunities 13-2 for public input and interaction, and communicating that input to the appropriate persons and agencies;
  - (2) Initiate, review, comment, and make recommendations concerning any general plan, development and sustainable communities plan, zoning, planning, permitting, and other land use issues within the city;
  - (3) Identify, prioritize, review, comment, and make recommendations concerning any government capital improvement proposal, plan, or project;
  - (4) Assist with evaluations of the efficiency and effectiveness of government services and programs, whether provided by government agencies or their contractors;
  - (5) Initiate, review, comment, and make recommendations concerning any other substantive issue reasonably related to the processes or decisions of government;
  - (6) Encourage understanding of the decision-making processes of government; and
  - (7) Encourage the role of the board as a public and informational forum on community and governmental issues.

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Section 2-14-109 of the Neighborhood Plan provides that a (neighborhood) board shall hold a regular meeting not less than nine of the twelve months within a one year period, provided that at no time shall more than two consecutive months elapse between regular meetings.<sup>ii</sup>

Currently, the Neighborhood Commission Office supports 33 Neighborhood Boards with an average annual budget of \$931,784, or \$28,235 per board.

| NEIGHBORHOOD COMMISSION ANNUAL FUNDING |             |                     |            |                  |              |                 |
|----------------------------------------|-------------|---------------------|------------|------------------|--------------|-----------------|
| Ordinance                              | Fiscal Year | Number of Positions | Salaries   | Current Expenses | Total Funds  | Source of Funds |
| Proposed <sup>iii</sup>                | 2017        | 17                  | \$ 657,212 | \$ 442,410       | \$ 1,099,622 | GN              |
| 15-25 <sup>iv</sup>                    | 2016        | 16                  | \$ 616,646 | \$ 147,300       | \$ 763,946   | GN              |

Numerous efforts have evaluated the effectiveness of the Neighborhood Board System. Specifically, the Neighborhood Commission contracted an independent third-party to audit the system in 1979. The City Auditor conducted an audit in 2006. The City Council created a Task Force to provide further analysis of the 2006 audit. In 2008, the Neighborhood Commission published an evaluation of the Auditor's 2006 audit and the City Council's Task Force. The reports are available on the Neighborhood Commission's website.

The majority of recommendations focused on the internal structure, lines of authority, sunshine law compliance, and budgetary inconsistencies related to the organization and operation of the Neighborhood Board System. All of the reports lacked evaluation or recommendations on methods "to increase and assure effective citizen participation in the decisions of government through the establishment of policy."

In 1972 the venues available for citizen participation were limited to physical attendance of City Council meetings. Thus, the support of a system to bring government into one's neighborhood after the work-day provided a practical venue for increasing community participation.

In 1972 testimony offered for consideration required oral testimony or written testimony either hand-delivered or mailed.

In 2016 the venues available for citizen participation include physical attendance, live video broadcast on television and streamed to the internet. Broadcasts are archived on websites for citizens to access on computers and smart phones at their own convenience. Re-broadcast of meeting are also aired during prime time.

In 2016 testimony offered for consideration may be delivered orally or written and transmitted via facsimile, electronic mail, hand-delivered or mailed.

Another advancement in technology includes the use of teleconferencing to facilitate citizen participation as demonstrated at the State of Hawaii Legislature.

Charter Commission Minutes of February 19, 2016 reflect support for the concept of promoting citizen participation, along with commentary on the decreasing attendance and lack of candidates. It was suggested that new technology should be implemented to bring the system into the 21<sup>st</sup> century.

Follow up conversation with Mr. Tom Heinrich explored the concept of redesigning the Neighborhood Commission Office.

**Recommendation:** Given the primary mission to increase citizen participation in the decisions of government and the vast growth in electronic mediums to support citizen participation, the Group recommends that by March 31, 2017 the Neighborhood Commission Office (NCO) develop a Strategic Plan with action plan and timeline to:

- a) restructure the delivery of information to community members through implementation of current communication technologies;
- b) promote the NCO as a resource for information;
- c) provide community education on citizen participation options;
- d) collect and report citizen feedback on proposed developments to meet Department of Planning and Permitting requirements;
- e) measure and report citizen participation in the annual report;
- f) sunset the neighborhood board system, and;
- g) reduce the annual budget by at least 50% through implementation of the strategic plan.

Therefore, the following question is recommended for voters to decide on the future of the Neighborhood Board system.

**Charter Question:** *Should the City increase citizen participation in the decisions of government through the use of electronic communication, such as television, Internet and email, and eliminate the Neighborhood Board system?*

## **II. OPEN GOVERNMENT - OPEN RECORDS**

### **CHARTER PROPOSAL #23:**

**Summary:** The proposal seeks to conform the county public records law to state requirements to ensure greater access to public records.

### **CHARTER PROPOSAL #25:**

**Summary:** The proposal seeks to require city agencies to assist the public in getting public records and make the process more efficient.

### **CHARTER PROPOSAL #26:**

**Summary:** The proposal seeks to prohibit charging for copies of public records when obtaining copies is in the public interest.

**Research/analysis:** Hawaii Revised Statutes Uniform Information Practices Act §92F-3 General Definitions defines applicable agencies as “any unit of government in this State, any county, or any combination of counties, department, institution, board, commission.....owned, operated, or managed by or on behalf of this State or any county....”

In compliance with HRS §92F, the City and County of Honolulu (City) utilizes the State of Hawaii, Office of Information Practices Form OIP-1 to manage requests for public records.

The City is currently subject to existing state requirements and does not require changes to the Honolulu Charter to facilitate greater access to public records.

**Recommendation:** No further action.

### **CHARTER PROPOSAL #59:**

**Summary:** The proposal seeks to open the Municipal Library at least one day a week.

**Research/analysis:** Established in 1929, the Municipal Reference Center (MRC) houses publications issued by and for City agencies. Many items are available both online in electronic format and as hard copy in the reference center collection.<sup>v</sup>

Prior to the 1998 reorganization by Mayor Harris, the MRC was a stand-alone department and depository for City publications offering daily public access. The reorganization moved the former Municipal Records and Reference Center to the newly created Department of Customer Services. Subsequent budget constraints have limited staffing and resulted in online access or pre-scheduled appointments.



The City's Makiki District Park is home to another library - the Makiki Library, which despite the library's location within a City and County building, it is not a City run operation; it is managed by the Friends of Makiki Community Library.<sup>vi</sup>

City leaders have chosen to fund other core services rather than support the MRC, and an amendment to the Honolulu Charter will not mandate funding of the function. Rather the MRC might consider donating the City's collection to the State of Hawaii Library System to facilitate public access to the documents.

**Recommendation:** No further action

**CHARTER PROPOSAL #125:**

**Summary:** The proposal seeks to add historical citations, case note annotations, and tables of disposition to the City Charter.

**Research/analysis:** Effective February 5, 2016 the City's Corporation Counsel uploaded a current version of the Revised Honolulu Charter including historical citations.<sup>vii</sup>

**Recommendation:** No further action.

**CHARTER PROPOSAL #147:**

**Summary:** The proposal seeks to allow public access to Ethics Commission rulings, decisions and reasoning.

**Research/analysis:** The Honolulu Ethics Commission (HEC) advances the standards of ethical conduct in government as expressed in the Revised Charter and the Revised Ordinances of Honolulu. The purpose of these laws and the Commission's work is to improve and maintain public confidence in government officials and employees.<sup>viii</sup>

In support of the HEC's purpose, a portal of Advisory Opinions from current year to 1967 are available to the public at [www.honolulu.gov/ethics/opinions.html](http://www.honolulu.gov/ethics/opinions.html). Each Advisory Opinion provides a summary, factual background, discussion, analysis, conclusion and recommendation.

In addition, the HEC website offers publications and guidelines to the City's ethics laws, along with answers to Frequently Asked Questions about the complaint process and procedures.

**Recommendation:** No further action.

**CHARTER PROPOSAL #150:**

**Summary:** The proposal seeks to require live Olelo telecasts for all Charter Commission meetings, and consider using the latest technology and teleconferencing.

**Research/analysis:** Effective December 30, 2015 the Charter Commission meeting are aired live on Olelo. In addition, the Charter Commission's website provides a library of meeting videos for public viewing.

**Recommendation:** No further action.

**III. OPEN GOVERNMENT – PUBLIC PARTICIPATION**

**CHARTER PROPOSAL #24:**

**Summary:** The proposal seeks to require boards and commissions to have an internet presence and use electronic communications to distribute board information to provide ready access to information, reduce barriers to and encourage public engagement with government, build trust in government, and encourage a paperless government.

**CHARTER PROPOSAL #40:**

**Summary:** The proposal seeks to provide for the sunset of every board and commission and review the necessity of every board and commission at least every five years.

**Research/analysis:** The boards and commissions of the City are established by City charter and City ordinance, or in some cases mandated by federal legislation, state statute or state constitution. The respective boards are attached to the subject matter departments for funding, staffing and management.

The proposal to provide an internet presence is a matter of fiscal support. Although the proposal does have merit, an amendment to the Honolulu Charter will not mandate funding of the function.

The proposal to review the necessity of every board has merit. However, before a blanket proposal is considered, a coordinated effort is required to identify those boards and commissions that are mandated versus those created by the jurisdiction of the City.

Exhibit A provides a draft summary of Honolulu Boards and Commissions not mandated by state or federal law. Preliminary research discovered that some boards and commissions do not meet regularly and others create a drain on government resources, while many boards and commissions are required and necessary to support the core services of the City. To be clear, the Group is not recommending that boards and commissions that are necessary to support the core services of the City such as the Board of Water Supply be eliminated.

The City Council, under its broad legislative powers pursuant to Article III, Chapter 2, of the Charter, may create, amend, or repeal any board or commission, established in the ROH, unless specifically mandated by federal or state law. The City Council, pursuant to Article XV, Chapter 15, of the Charter, may also propose to the electorate amendments to the Charter, which includes any Charter established boards or commissions, unless specifically mandated by federal or state law.

In addition, the Auditor, pursuant to Article III, Chapter 5, of the Charter has broad powers to conduct both “[p]erformance and financial audits of the funds, programs, and operations of any agency or operation of the city.”

Research found that similar legislation was enacted by the Lakewood City Council in Ohio, whereby Councilmembers met to review all boards and commissions sanctioned by Lakewood, with the goal of eliminating those that were clearly obsolete.<sup>ix</sup>

**Recommendation:** Given the importance of eliminating waste and promoting efficient government, it is recommended that the Honolulu City Council utilize its legislative authority to:

- a) initiate an evaluation by March 31, 2017 of all boards and commissions that were created by City jurisdiction;
- b) initiate legislation to eliminate by December 31, 2017 those boards and commissions that are outdated or redundant as determined by the Honolulu City Council, and;
- c) mandate a five-year review period to continuously evaluate the need and effectiveness of City boards and commissions.

Therefore, the following question is recommended for voters to decide on the implementation of a plan to regularly evaluate the necessity of City created boards and commissions.

**Charter Question:** *Should the City Council eliminate outdated and redundant City boards and commissions by December 31, 2017, and impose a five-year review period on all remaining boards and commissions to continuously evaluate the need and effectiveness of those remaining boards and commissions?*

#### **CHARTER PROPOSAL #99:**

**Summary:** The proposal seeks to increase the number of elected officials in city government, and increase government accountability by making more positions elected, such as the City Auditor, Corporation Counsel, Board of Water Supply, Director of the Board of Water Supply, Board and Executive Director of the Honolulu Authority for Rail Transit, Fire Commission, Police Commissions, Parks Commission and Transportation Commission.

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**Research/analysis:** Efforts to increase the number of elected officials within the City represents a major change to status quo and should include considerable analysis and discussion. Therefore the Group suggests that the City Council consider this proposal via council resolution to provide for ample citizen participation.

**Recommendation:** No further action.

### **CHARTER PROPOSAL #123:**

**Summary:** The proposal seeks to require the Charter Commission to specify the purpose of Charter amendments or revisions, to use metrics to measure past performance or amendments or revisions, and require the City Auditor to report annually to the City Council on the results and findings of a yearly examination of the performance metrics and progress toward the stated goal of the amendments or revision.

**Research/analysis:** The proposal suggests good management techniques that are currently utilized and reported in the annual Department and Agency Reports.<sup>x</sup>

**Recommendation:** No further action.

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## EXHIBIT A Draft of Honolulu Boards and Commissions (Not mandated by state or federal law)

| Name                                                                                  | Department or Branch | Established By                                              |
|---------------------------------------------------------------------------------------|----------------------|-------------------------------------------------------------|
| Audit Committee                                                                       | Legislature          | Section 3-503, RCH                                          |
| Board of Department of Water (Board of Water Supply)                                  | BWS                  | Section 7-104, RCH (Created by Territorial Statute in 1929) |
| Board of Parks and Recreation                                                         | DPR                  | Section 6-1404, RCH                                         |
| Board of Trustees of the Police Officers, Fire Fighters, and Bandmembers Pension Fund | BFS                  | Section 6-205, RCH                                          |
| Building Board of Appeals                                                             | DPP                  | Section 27-10.4, ROH                                        |
| Citizens Advisory Commission on Civil Defense                                         | DEM                  | Section 6-104, RCH                                          |
| Civil Service Commission                                                              | DHR                  | Section 6-1110, RCH                                         |
| Commission on Culture and the Arts                                                    | MOCA                 | Chapter 3, Article 2, ROH                                   |
| Council Reapportionment Commission                                                    | Legislature          | Section 3-103, RCH ---every ten years                       |
| Ethics Board of Appeals                                                               | BFS                  | Section 3-14.1 ROH; Chapter 3, Article 14, ROH              |
| Ethics Commission                                                                     | COR                  | Section 11-107, RCH; Chapter 3, Article 6, ROH              |
| Fire Commission                                                                       | HFD                  | Section 6-1005, RCH                                         |
| Grants-in-Aid Advisory Commission                                                     | DCS                  | Section 9-205, RCH                                          |
| HART Board of Directors                                                               | HART                 | Section 17-105, RCH                                         |
| Mayor's Advisory Committee on Bicycling                                               | DTS                  | ad hoc                                                      |
| Neighborhood Commission                                                               | NCO                  | Section 14-102, RCH                                         |
| Oahu Historic Preservation Commission                                                 | DPP                  | Section 3-10.3, ROH                                         |
| Pension Board – <i>not active</i>                                                     | BFS                  | Section 6-206, RCH                                          |
| Planning Commission                                                                   | DPP                  | Section 6-1505, RCH                                         |
| Police Commission                                                                     | HPD                  | Section 6-1605, RCH                                         |
| Real Property Boards of Review                                                        | BFS                  | Section 8-12.6 ROH                                          |
| Salary Commission                                                                     | Legislature          | Section 3-122, RCH; Chapter 3, Article 7, ROH               |
| Transportation Commission                                                             | DTS                  | Section 6-1704, RCH; Chapter 3, Article 11, ROH             |
| Zoning Board of Appeals                                                               | DPP                  | Section 6-1516, RCH                                         |

HRS – Hawaii Revised Statutes  
RCH – Revised Charter of Honolulu  
ROH – Revised Ordinances of Honolulu

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May 16, 2016

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<sup>i</sup> Mission of Neighborhood Commission, <http://www.honolulu.gov/nco/about.html>.

<sup>ii</sup> Neighborhood Commission, Rules and Procedures of the Neighborhood Commission, pg. 28, [http://www.honolulu.gov/rep/site/nco/nco\\_docs/2015-05\\_FINAL\\_Web.pdf](http://www.honolulu.gov/rep/site/nco/nco_docs/2015-05_FINAL_Web.pdf).

<sup>iii</sup> City and County of Honolulu, Bill 14, CD1 (2016)  
[http://www4.honolulu.gov/docushare/dsweb/Get/Document-179842/BILL014\(16\)%2c%20CD1.pdf](http://www4.honolulu.gov/docushare/dsweb/Get/Document-179842/BILL014(16)%2c%20CD1.pdf).

<sup>iv</sup> City and County of Honolulu, Ordinance 15-25,  
<http://www4.honolulu.gov/docushare/dsweb/Get/Document-167011/ORD15-025.PDF>.

<sup>v</sup> About the Municipal Reference Center, <http://www.honolulu.gov/csd/mrc.html>.

<sup>vi</sup> Makiki Community Library, <http://www.makiki.info/makiki-community-library/>.

<sup>vii</sup> Revised Charter of the City and County of Honolulu 1973 (2000 Edition) Updated with 2000-2015 Charter Amendments, [http://www.honolulu.gov/rep/site/cor/rch/Online\\_Charter\\_v02.25.16.pdf](http://www.honolulu.gov/rep/site/cor/rch/Online_Charter_v02.25.16.pdf).

<sup>viii</sup> Honolulu Ethics Commission, <http://www.honolulu.gov/ethics/default.html>.

<sup>ix</sup> "Lakewood City Council Set to Eliminate Seven Obsolete Volunteer Boards and Commissions", [http://www.cleveland.com/lakewood/index.ssf/2013/07/lakewood\\_city\\_council\\_set\\_to\\_e.html](http://www.cleveland.com/lakewood/index.ssf/2013/07/lakewood_city_council_set_to_e.html).

<sup>x</sup> Department and Agency Reports of the City and County of Honolulu,  
<http://www.honolulu.gov/cms-csd-menu/site-csd-sitearticles/20063-municipal-reference-center-department-reports.html>.





## KOOLAULOA NEIGHBORHOOD BOARD NO. 28

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA**  
THURSDAY, JUNE 9, 2016  
KAHUKU COMMUNITY CENTER  
56-576 KAMEHAMEHA HWY. KAHUKU  
6:00 P.M. to 8:00 P.M.

ANYONE WISHING TO SPEAK MUST FIRST BE RECOGNIZED BY THE CHAIR. EACH SPEAKER WILL BE ALLOWED TWO (2) – THREE (3) MINUTES – THE TIME LIMIT WILL BE ENFORCED. IN ACCORDANCE WITH SUNSHINE LAW AND ROBERT'S RULES OF ORDER, THE CHAIR, IN THE INTEREST OF MEETING EFFICIENCY, MAY LIMIT THE NUMBER OF TIMES A PERSON MAY SPEAK ON ANY ONE (1) AGENDA ITEM. THE BOARD ALSO PRACTICES CIVIL DISCOURSE AND SPEAKERS WHO STRAY FROM CIVILITY WILL BE CALLED OUT OF ORDER.

- I. **CALL TO ORDER** – Chair Verla Moore
- II. **HONOLULU FIRE DEPARTMENT (HFD)**
- III. **HONOLULU POLICE DEPARTMENT (HPD)**
- IV. **APPROVAL OF MAY 12, 2016 REGULAR MEETING MINUTES**
- V. **TREASURER'S REPORT**
- VI. **US ARMY REPRESENTATIVE** – Major Brown
- VII. **COMMITTEE REPORTS**
- VIII. **NEW BUSINESS (10 Minute Limit)**
  - A. Member Creighton Mattoon Three (3) Absences of the Year – Board Action
  - B. Na Pua Makani Proposed Wind Turbine Height Increase – Department of Planning & Permitting Representative
- IX. **GOVERNMENT REPORTS (Three (3) Minute Limit per Speaker)**
  - A. Mayor Kirk Caldwell's Representative – Adam LeFebvre
  - B. Council Chair Ernie Martin – Chair Martin or Mike Sakata
  - C. State Senator – Senator Gil Riviere
  - D. House Representative – Representative Feki Pouha
  - E. Governor David Ige's Representative – Mike McCartney or Billy Oku
- X. **PUBLIC INPUT/COMMUNITY ANNOUNCEMENTS (Two (2) Minute Limit per Speaker)**
- XI. **BOARD ANNOUNCEMENTS**
  - A. Board will recess in July. Next meeting scheduled for Thursday, August 11, 2016, 6:00 p.m. at the Hau'ula Community Center, 54-010 Kukuna Road, Hau'ula.
  - B. 'Olelo Broadcasting – The regular Board meetings air on the 4th Friday at 9:00 p.m. and on the 2nd and 4th Sunday at 12:00 noon on Channel 49.
- XII. **ADJOURNMENT**

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A mailing list is maintained for interested persons and agencies to receive this board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO) at Honolulu Hale, Room 406, 530 South King Street, Honolulu, Hawaii 96813; Telephone (808) 768-3710 Fax (808) 768-3711; or call Neighborhood Assistant I Sharon Baillie at (808) 768-3714 or e-mail [sharon.baillie@honolulu.gov](mailto:sharon.baillie@honolulu.gov). Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco).

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All written testimony must be received in the Neighborhood Commission Office 48 hours prior to the meeting. If within 48 hours, written and/or oral testimony may be submitted directly to the board at the meeting. If submitting written testimony, please note the board and agenda item(s) your testimony concerns. Send to: Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, HI 96813. Fax: (808) 768-3711. Email: [nbtestimony@honolulu.gov](mailto:nbtestimony@honolulu.gov).

**2015 to 2016 Ko'olauloa Neighborhood Board Members:**

Verla Moore, Chair – [verlamoore@hawaii.rr.com](mailto:verlamoore@hawaii.rr.com) (Planning & Landuse Committee)  
John Elkington, Vice Chair – [elkingtj@byuh.edu](mailto:elkingtj@byuh.edu) (Housing Committee)  
Randall Au, Secretary – [randallau1960@gmail.com](mailto:randallau1960@gmail.com) (Public Relations Committee)  
Kela Miller, Treasurer – [millerk010@hawaii.rr.com](mailto:millerk010@hawaii.rr.com) (Culture & Arts Committee)  
Kent Fonoimoana – [kent@trisland.com](mailto:kent@trisland.com) (Agriculture Committee)  
Diane Tafua – [namami5@yahoo.com](mailto:namami5@yahoo.com) (Education Committee)  
Louis Prescott – [louis.prescott.ah1s@gmail.com](mailto:louis.prescott.ah1s@gmail.com) (Transportation Committee)  
Vanley Auna – [aunav001@gmail.com](mailto:aunav001@gmail.com) (CIP Committee)  
Creighton Mattoon – [mattoonc001@hawaii.rr.com](mailto:mattoonc001@hawaii.rr.com) (Health Committee)  
Dee Dee Letts – [ddletts@lava.net](mailto:ddletts@lava.net) (Water Committee)  
Jacob Nihipali – [jacconnihipali@gmail.com](mailto:jacconnihipali@gmail.com) (Parks & Recreation)



HONOLULU AUTHORITY for RAPID TRANSPORTATION

Daniel A. Grabauskas  
EXECUTIVE DIRECTOR AND CEO

BOARD OF DIRECTORS

Colleen Hanabusa  
CHAIR

Damien T.K. Kim  
VICE CHAIR

George I. Atta  
Michael D. Formby  
Ford N. Fuchigami  
Terri Fujii  
William "Buzz" Hong  
Terrence M. Lee  
Ivan M. Lui-Kwan, Esq  
Colbert M. Matsumoto

**Board of Directors Meeting  
Ali'i Place, Suite 150  
1099 Alakea Street, Honolulu, Hawaii  
(entrance on Richards Street)  
Wednesday, June 8, 2016, 1:00 p.m.**

**Agenda**

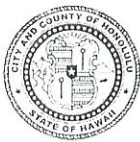
- I. Call to Order by Chair
- II. Public Testimony on All Agenda Items
- III. Approval of the May 12, 2016 Minutes of the Meeting of the Board of Directors
- IV. Discussion on the Options to HART's Current Full Funding Grant Agreement Scope
- IX. Adjournment

Note: Persons wishing to testify on items listed on the agenda are requested to register by completing a speaker registration form at the meeting or online on the HART section of the [www.honolulutransit.org](http://www.honolulutransit.org) website. Each speaker is limited to a **two-minute** presentation. Persons who have not registered to speak in advance should raise their hands at the time designated for public testimony and they will be given an opportunity to speak following oral testimonies of the registered speakers.

If you require special assistance, auxiliary aid and/or service to participate in this event (i.e. sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please contact Cindy Matsushita at 768-6258 or email your request to [cmatsushita@honolulu.gov](mailto:cmatsushita@honolulu.gov) at least three business days prior to the event.

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## EWA NEIGHBORHOOD BOARD NO. 23

C/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 408, HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

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### **REGULAR BOARD MEETING AGENDA**

**THURSDAY, JUNE 9, 2016**

**EWA BEACH PUBLIC AND SCHOOL LIBRARY**

**91-950 NORTH ROAD, EWA BEACH, HI 96706**

**7:00 P.M.**

#### **Rules of Speaking:**

Aloha! This is your Community Public Forum, your input and cooperation is really appreciated. The Ewa Neighborhood Board is an advisory board and we provide fairness, integrity and collaboration to all to increase and assure effective citizen participation in the decisions of government. Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to **address comments to the Chair**. Speakers are encouraged to keep their comments under three (3) minutes – one (1) turn per person. Those giving reports are urged to keep their reports less than three (3) minutes and presentations under 10 minutes. **Please silence all electronic devices.**

Note: The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds vote (8) of this 11-member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

1. **CALL TO ORDER:** Chair Mitchell Tynanes
  - 1.1. Reading of the Rules of Speaking: Vice-Chair Rodney Boucher
  - 1.2. Introduction of Board Members
2. **PUBLIC SAFETY (FIRST RESPONDER) REPORTS:** (Limited to three (3) minutes each report. Follow up questions & answers are limited to one (1) turn – one (1) minute per person. Questions in private, or in writing, to these officials before or after they speak would be greatly appreciated in the interest of time).
  - 2.1. Honolulu Fire Department – Duty Officer
  - 2.2. Honolulu Police Department – Duty Officer
  - 2.3. Ewa Weed & Seed Unit – Duty Officer [weedseedewa@yahoo.com](mailto:weedseedewa@yahoo.com), Phone 689-4182 x225
3. **BOARD ADMINISTRATION AND PLANNING**
  - 3.1. Treasurer's Report – Bryan Jeremiah
  - 3.2. Approval of April 14, 2016 Regular Meeting Minutes
4. **RESIDENTS' AND COMMUNITY CONCERNS & COMMUNITY PUBLIC ANNOUNCEMENTS:** (Limited to one (1) turn – three (3) minutes per person. In the interest of time, please address the proper agencies and be brief with your concerns or questions.)
5. **NEW BUSINESS:** Department of Environmental Services (ENV)/AECOM – Proposed Honouliuli Wastewater Treatment Plant Secondary Treatment and Support Project Draft Environmental Impact Statement (DEIS).
6. **REGULAR BOARD MEETING, VIDEO BROADCAST:** Next Regular Meeting – Scheduled for Thursday, July 14, 2016 at 7:00 p.m. – Regular Board meetings are broadcasted every first Sunday at 6:00 p.m. and every second and fourth Friday at 10:00 a.m. on Olelo digital channel 49.
7. **ADJOURNMENT**

**Hawaii Revised Statutes - §92-3 - Open meetings:** Every meeting of all boards shall be open to the public and all persons shall be permitted to attend any meeting unless otherwise provided in the constitution or as closed pursuant to sections 92-4 and 92-5; provided that the removal of any person or persons who willfully disrupts a meeting to prevent and compromise the conduct of the meeting shall not be prohibited. The boards shall afford all interested persons an opportunity to submit data, views, or arguments, in writing, on any agenda item. The boards shall also afford all interested persons an opportunity to present oral testimony on any agenda item. The boards may provide for reasonable administration of oral testimony by rule.

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Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the NCO at 768-3710 between the hours of 8:00 a.m. - 4:00 p.m. at least 24 hours before the scheduled meeting.

## ***\*ALL STATE SENATE, HOUSE OF REPRESENTATIVES, AND CITY COUNCIL AREA CANDIDATES ARE INVITED\****

### **June 2016 Candidates Forum**

THURSDAY, JUNE 9, 2016

EWA BEACH PUBLIC AND SCHOOL LIBRARY  
91-950 NORTH ROAD, EWA BEACH, HI 96706

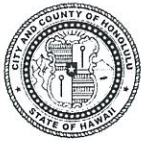
FORUM WILL BEGIN AFTER THE EWA REGULAR BOARD MEETING

1. **Welcome:** Rodney Boucher to facilitate and announce rules.
2. **Introduction and Platform:** Each candidate will be given an opportunity to introduce themselves and share their platform for elected office (Limit one (1) minute).
3. **Question and Answer:** All candidates will be given an opportunity to answer given questions (Limit one (1) minute).
4. **Wrap Up:** Final Statements (Limit one (1) minute).

**\*Candidates or Audience members who do not adhere to the Forum Ground Rules will be given a warning; however, if someone continues to violate Forum Ground Rules, HPD will be called to remove any disruptive individuals from this event. Please exhibit & convey the "Spirit of Aloha"**

**\*Each Candidate will be allowed equal time to answer all questions. The exact time afforded to each candidate will depend upon the amount of confirmed participants in the Forum event**





**DIAMOND HEAD/KAPAHULU/ST. LOUIS HEIGHTS NEIGHBORHOOD BOARD NO. 5**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

**REGULAR MEETING AGENDA**

THURSDAY, JUNE 9, 2016

ALA WAI CLUBHOUSE

404 KAPAHULU AVENUE

6:30 P.M.

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds (2/3) vote (8) of this 15-member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

- I. **CALL TO ORDER** – Chair George West
- II. **ANNOUNCEMENTS**
  - A. For all wishing to speak on items not already on the agenda, please fill out a Community Concern form at the front desk and turn into the Chair or Neighborhood Assistant.
  - B. Welcome new NA James Skizewski.
- III. **CITY/STATE MONTHLY REPORTS** – Limited to three (3) minutes each
  - A. Honolulu Fire Department (HFD)
  - B. Honolulu Police Department (HPD)
    1. District 6 – Waikiki
    2. District 7 – Kapahulu, St. Louis Heights
  - C. Board of Water Supply – Ann Wong
- IV. **PUBLIC EVENTS AND NOTICES**
  - A. Liquor Commission License Application Hearing, Anela Gardens, July 7, 2016
  - B. DPP Application/Hearing, 208 Kapahulu Ave. (Denny's), July 6, 2016
  - C. Waikiki War Memorial Complex Project – Consultation Meetings
- V. **PRESENTATION**
  - A. Parade Information Signage - DTS
- VI. **RESIDENT/COMMUNITY CONCERNS**
  - A. Residents Request Board Support, Anela Gardens Liquor License Application, Board Action
  - B. Reconsideration of Natatorium Parking Restoration Resolution, Board Action.
- VII. **ELECTED OFFICIALS**
  - A. Mayor Kirk Caldwell's Representative – Walea Constantinou
  - B. Councilmember Ann Kobayashi
  - C. Councilmember Trevor Ozawa
  - D. Governor's Representative
  - E. Senator Les Ihara, Jr.
  - F. Senator Sam Slom
  - G. House Speaker Emeritus Calvin Say
  - H. Representative Bert Kobayashi

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J. Representative Scott Nishimoto

VIII. **REPORTS OF MEMBERS ATTENDANCE AT OTHER MEETINGS**

IX. **BOARD BUSINESS**

- A. Approval of May 12, 2016 meeting minutes.
- B. Illegal dumping, increased fines.

X. **REPORTS – Limited to three (3) minutes each**

- A. Treasurer's Report – Barbra Armentrout
- B. Subdistrict 1 (St. Louis Heights) – Julia Allen
- C. Subdistrict 2 (Kapahulu) – Bertha Naho'opi'i
- D. Subdistrict 3 (Diamond Head) – Laura St. Denis
- E. Board Newsletter, B. Armentrout

XI. **CHAIR REPORT/ANNOUNCEMENTS**

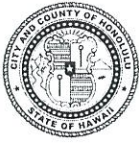
XII. **NEXT REGULAR BOARD MEETING**

- A. Thursday, July, 14, 2016

XIII. **ADJOURNMENT**

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ALIAMANU/SALT LAKE/FOSTER VILLAGE NEIGHBORHOOD BOARD NO. 18

c/o NEIGHBORHOOD COMMISSION OFFICE • HONOLULU HALE, ROOM 406

530 SOUTH KING STREET • HONOLULU, HAWAII 96813

TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: [www.honolulu.gov/nco](http://www.honolulu.gov/nco)

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# **\*\*RECESS NOTICE\*\***

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The Aliamanu/Salt Lake/Foster  
Village Neighborhood Board No.  
18  
will recess its regular meeting in  
June 2016

The next regular meeting is  
Thursday, July 14, 2016  
Oahu Veterans Center  
1298 Kukila Street  
7:00 p.m.



**KAHALU'U NEIGHBORHOOD BOARD NO. 29**

*(He'eia Kea, 'Āhuimanu, Kahalu'u, Waihe'e, Ka'alaea, Waiāhole, Waikāne, Hakipu'u, Kualoa)*

C/o Neighborhood Commission Office, Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

*"LET US NOT EVER HAVE AN UNHAPPY MINORITY; RATHER, LET US BUILD A COMMUNITY CONSENSUS."*

**REGULAR MEETING AGENDA**

Wednesday, June 8, 2016

7:00 P.M.

**KEY PROJECT, 47-200 Waihe'e Road**

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**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports under three (3) minutes. Please silence all electronic devices.

**Note:** The Board may take action on any agenda item. As required by the State Sunshine Law (HRS 92), specific issues not noted on this agenda cannot be voted on, unless added to the agenda. A two-thirds vote (10) of this 15-member Board is needed to add an item to the agenda. Items may not be added if they are of major importance and will affect a significant number of people.

- I. CALL TO ORDER, INTRODUCTIONS AND ANNOUNCEMENTS – Chair Flora Obayashi
- II. PUBLIC SAFETY REPORT (Limited to three (3) minutes each)
  - A. Honolulu Fire Department
  - B. Honolulu Police Department
- III. REPORTS BY PUBLIC OFFICIALS (Please limit reports to five (5) minutes each)
  - A. Mayor Kirk Caldwell's Representative – Art Challacombe, Deputy Director, DPP
  - B. Councilmember Ernie Martin
  - C. Councilmember Ikaika Anderson
  - D. Governor David Ige's Representative – Kekoa Kaluhiwa
  - E. Senator Gil Riviere
  - F. Senator Jill Tokuda
  - G. Representative Jarrett Keohokalole
  - H. Representative Feki Pouha
- IV. INFORMATIONAL SESSION (Limited to three (3) minutes each)
  - A. Marine Corps Base Hawaii (MCBH) – Tiffany Patrick
  - B. Kaneohe Bay Regional Council – Jerry Kaluhiwa
  - C. Kahalu'u Stream/Flood Control Lagoon and HB 2749 – Watson Okubo, Department of Health
  - D. Board of Water Supply – Barry Usagawa
- V. RESIDENTS'/COMMUNITY CONCERNS (Please limit concerns to items not on tonight's agenda. Limited to two (2) minutes each)
- VI. COMMUNITY PROJECTS OR CONCERNS (Limited to 10 minutes each)
  - A. Ko'olaupoko Sustainable Communities Plan
  - B. PIG Proposal to Eliminate Neighborhood Boards – Honolulu Charter Commission
  - C. Public Nudity at County and State Parks and Beaches
  - D. Appeal to Governor Ige to veto HB 1850 Illegal Vacation Rentals
  - E. Candidate Forum 2016
  - F. He Lima Kokua Award
- VII. COMMITTEE REPORTS (Limited to three (3) minutes each)
  - A. Legislation Committee – Chair Anthony Austin or Vice Chair Michael Canute

- B. Military Liaison Committee – Chair Art Machado
- C. Planning Committee – Chair Ken Goldstein
- D. Preservation of Hawaiian Heritage Committee – Chair Clifford Loo
- E. Regional Park Committee – Chair Yvonne Nelson
- F. School Committee – Chair Ron Kubo, Vice Chair Jeannie Wong
- G. Transportation and Safety Committee – Chair Ken LeVasseur
- H. Water and Environment Committee – Chair Flora Obayashi

**VIII. BOARD BUSINESS**

- A. Treasurers Report
- B. Reports of members' attendance at other meetings (Limited to two (2) minutes)
- C. Member's Five Absence Report – Lola Tangaro
- D. Approval of May 11, 2016 Kahalu'u Neighborhood Board Meeting minutes

**IX. MEETING ANNOUNCEMENT – The next Kahalu'u Neighborhood Board No. 29 regular meeting will be held on Wednesday, July 13, 2016 at 7:00pm at KEY Project.**

**X. ADJOURNMENT**

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CITY AND COUNTY OF HONOLULU  
PLANNING COMMISSION

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Meeting of the Planning Commission

DATE: June 8, 2016  
TIME: 1:30 p.m.  
PLACE: Mission Memorial Conference Room, Mission Memorial Building,  
550 South King Street, Honolulu, Hawaii

AGENDA

APPROVAL OF MINUTES: The minutes of May 25, 2016.

PUBLIC HEARING

Public hearing notice published in the Honolulu Star-Advertiser on May 27, 2016.

A REQUEST FOR AMENDMENTS TO THE REVISED ORDINANCES OF  
HONOLULU 1990, AS AMENDED, RELATING TO CHAPTER 21A, FLOOD  
HAZARD AREAS

The proposed amendments involve establishing fees for processing various flood hazard related permits, adopting the Federal Emergency Management Agency's (FEMA) regulations and standards relating to below-grade crawlspaces, accessory structures such as detached enclosed garages, language adjustments to clarify procedural requirements, and renumbering of subsections of the certification standards. Adoption of the amendments will improve the City's compliance with FEMA and National Flood Insurance Program regulations.

ADJOURNMENT

NOTE: If you require special assistance, auxiliary aid and/or service to participate in this event (i.e., sign language interpreter, interpreter for language other than English, or wheelchair accessibility), please call 768-8000, or email your request to [info@honoluluclerk.org](mailto:info@honoluluclerk.org) at least three business days prior to the event.

DEPARTMENT OF EMERGENCY MANAGEMENT  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET • HONOLULU, HAWAII 96813  
PHONE: (808) 723-8960 • FAX: (808) 524-3439

KIRK CALDWELL  
MAYOR



MELVIN N. KAKU  
DIRECTOR

PETER J.S. HIRAI  
DEPUTY DIRECTOR

June 1, 2016

**NOTICE OF MEETING**

Notice is hereby given that a meeting of the Citizen's Advisory Commission to the Department of Emergency Management will be held on **Thursday, June 9, 2016 at 10:00 A.M. in the Department of Emergency Management, Basement** of the Frank F. Fasi Municipal Building, 650 S. King Street.

**AGENDA**

1. Call to Order
2. Approval of minutes of April 14, 2016 meeting
3. Departmental budget update
4. Administrative issues update
  - a. Commissioner Candidate – Joe Miller
5. New business
  - a. 2016 IUCN World Congress
6. Announcements – Next meeting
7. Adjourn

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If you are unable to attend, please call the DEM office at 723-8960.

The general public is invited to attend. If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e. sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please contact Mari Masuoka at 808-723-8960 or email your request to [mmasuoka@honolulu.gov](mailto:mmasuoka@honolulu.gov) at least five days prior to the event. This meeting is informal and written testimony is not required.

Upcoming Commission Meetings:

- **August 11, 2016**





## WAIANAE COAST NEIGHBORHOOD BOARD NO. 24

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 406 • HONOLULU, HAWAII, 96813  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov/nco>

### REGULAR MEETING AGENDA

Tuesday, June 7, 2016

7:00 p.m. – 10:00 p.m.

Waianae District Park – Multi-Purpose Room  
85-601 Farrington Highway

**Rules of Speaking:** Anyone wishing to speak is asked to raise their hand, and when recognized by the Chair, to address comments to the Chair. Speakers are encouraged to keep their comments under three (3) minutes, and those giving reports are urged to keep their reports to three (3) minutes or less. Please silence all electronic devices.

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1. **Call to Order:** Cedric Asuega Gates, Chair
2. **Pule**
3. **Public Safety Reports:** (Allocated time: 35 minutes)
  - 3.1 Honolulu Police Department (HPD)
  - 3.2 Honolulu Fire Department (HFD)
4. **Reports of Members' Attendance at Other Meetings** (Allocated time: five (5) minutes)
5. **New Business:** (Testimony limited to two (2) minutes)
  - 5.1 Installation of Fiber Optic Cable at Makaha Beach, SEA-US project – Presentation by Planning Project Coordinator, R. M. Towill Corporation - Brian Takeda
6. **Community Reports:**
  - 6.1 Mayor Kirk Caldwell's Representative
  - 6.2 Councilmember Kymberly Pine
  - 6.3 Board of Water Supply (BWS)
  - 6.4 U.S. Army 25th Infantry Division
7. **Board Committees and Membership:**
  - 7.1 Education Committee: Calvin Endo and Kellen Smith
  - 7.2 Parks, Recreation, and Customer Service: Ken Koike
  - 7.3 Hawaiian Affairs, Business, Economic Development, and Tourism: Kawika Nahoopii
  - 7.4 Housing Committee: Marcus Paaluhi
  - 7.5 Transportation Committee: Cedric Gates and Julie Cachola
    - A. Kapolei/Makakilo Neighborhood Board Traffic Resolution
    - B. Kolekole Pass Resolution
8. **Board Administration:** (Allocated time: 30 minutes)
  - 8.1 Approval of the May 3, 2016 regular meeting minutes

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**WAIANAE COAST NEIGHBORHOOD BOARD NO. 24**

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www1.honolulu.gov/nco>

**Parks, Community & Customer Service Committee Meeting**

**Wednesday, June 8, 2016**

**6:00 p.m. - 8:00 p.m.**

**Wai'anae District Park Multipurpose Room**

**I. Call Meeting to Order**

**II. Welcome / Pule / Introductions**

**III. Set Next Official Meeting Date: Wednesday, July 13, 2016 (2nd Wednesday)**

**IV. Committee Member Nominations - Volunteers**

**V. Old Business**

**A. Kymberly Pine's 'Malama Our Parks' Adopt-a-Park Program**

1. Pokai Bay Beach Park - Hui Malama Marae Bay
  - a) Harvey House
  - b) Ocean Safety House
2. Wai'anae District Park – Wai'anae Hui
3. Ke'au Beach Park - Father Hank Albrecht
4. HBWS Waiwai 'O Wai'anae Tunnels Tour Evaluation

**B. Community Benefits Advisory Committee (CBAC) Funds**

1. Obtain Documentation from District III
2. Assessment of Current State of Affairs / Fair Compensation
3. Revised & Improved Policy Recommendations / Demand
4. New Proposal / Protocol

**C. Park Improvements**

1. Repairs at Existing Parks
  - a) Gym 2nd Floor Repairs / WDP Repairs
  - b) Mr. Kamana Comfort Station Update / Harbor Tennis Court Restroom Construction
2. Growing Taro + Cultural-Traditional Plants on Park Grounds
  - a) Repeal Attractive Nuisance Statute
  - b) Mitigate Liability
  - c) Offer Community Cultural Classes (ku'i'ai / mea'ai / la'au)
3. Soccer Fields / Possible Locations (Brownfield?)
4. Additional Parking / Repaving at Existing Parks
5. Additional Comfort Stations at Existing Parks

**D. Poka'i Bay Issues**

1. Community-Based Subsistence Fishing Area (CBSFA) for Wai'anae
2. Boats Anchored - DLNR DOCARE
3. Breakwater / Water Quality - US Army Corp of Engineers
4. Memorials - Removal
5. Fishermen / Park Closures / Camping w/o a Permit Update

**VI. New Business**

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## WAI'ANAE COAST NEIGHBORHOOD BOARD NO. 24

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET, ROOM 406 • HONOLULU, HAWAII 96813  
TEL: (808) 768-3710 • FAX: (808) 768-3711 • INTERNET: <http://www1.honolulu.gov/nco>

### HOUSING COMMITTEE MEETING

#### AGENDA

TUESDAY, JUNE 14, 2016  
WAI'ANAE DISTRICT PARK  
85-601 Farrington Highway  
7:00 P.M. TO 9:00 P.M.

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1. **Pule**
2. **Call to Order**— Marcus Pa'aluhi Chair ; Julie-Ann Cachola Co-Chair
3. **Welcome / Introductions**
4. **Housing Committee Membership**
5. **New Business:**
  1. City and County Modular Unit Housing Project
  2. Dr. Keoni Dudley resolution to stop permitting of future development until infrastructure is addressed
6. **Adjournment**

A mailing list is maintained for interested persons and agencies to receive this Board's agenda and minutes. Additions, corrections, and deletions to the mailing list may be directed to the Neighborhood Commission Office (NCO), Honolulu Hale, 530 South King Street, Room 406, Honolulu, Hawaii 96813; Telephone (808) 768-3710 or Fax (808) 768-3711; or call Neighborhood Assistant Relley Araceley at (808) 768-3790. Agendas and minutes are also available on the internet at [www.honolulu.gov/nco](http://www.honolulu.gov/nco)

Any individual wishing to attend a Neighborhood Board meeting who has questions about accommodations for a physical disability or a special physical need should call the Neighborhood Commission Office at 768-3710 between 8:00a.m. and 4:00 p.m., at least 24-hours before the scheduled meeting.

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2016 JUN -1 AM 10: 33

## NOTICE OF HEARING

KIRK CALDWELL  
MayorMike Ellis, Chair, Board 1  
James W. Y. Wong, Chair, Board 2  
Lee Gordon, Chair, Board 3Date: June 1, 2016  
Honolulu, Hawaii

Page 1 of 1

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 7, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: ANTHONY LEE, 808-768-3157.

| TAXPAYER              | TAX MAP KEY  | APPEAL NO. | YEAR |
|-----------------------|--------------|------------|------|
| 1 KIM,DEAN S K TRUST  | 980020280071 | 109637     | 2016 |
| 2 RABARA,FLORENTINO C | 980020290088 | 110059     | 2016 |
| 3 GAITLEY,RICHARD A   | 980110560006 | 111826     | 2016 |
| 4 FUKUI,STACY M       | 980400020045 | 109599     | 2016 |
| 5 PEREA,NOE JR TR     | 980420440000 | 110205     | 2016 |
| 6 FISCHER,AARON J     | 980590030052 | 109837     | 2016 |
| 7 LEE,MILDRED B N TR  | 990760160014 | 109812     | 2016 |

/s/ MIKE ELLIS  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

HONOLULU FIRE COMMISSION  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 9<sup>TH</sup> FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 723-7321 Fax: (808) 723-7397

KIRK CALDWELL  
MAYOR



JAMES S. WATARU  
CHAIR

ARNOLD WONG

MARY JEAN L. CASTILLO

DR. JOSEPH W.C. YOUNG

MAX HANNEMAN

## AGENDA

**Regular Public Meeting  
Wednesday, June 8, 2016  
Honolulu Fire Department  
Honolulu Fire Department Auditorium**

**4:00 p.m.**

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2016 JUN - 1 AM 10:02

- I. Call to order by Chair James Wataru.**
- II. Approval of the Minutes of May 18, 2016.**
- III. Approval of the Executive Session Minutes of May 18, 2016. The Commission may hold an executive meeting on this item where discussion and consideration of matters affecting privacy will be involved [HRS Sec. 92-5(a)(2)], and to consult with the board's attorney on questions and issues pertaining to the board's powers, duties, privileges, immunities, and liabilities with regard to these matters [HRS Sec. 92-5(a)(4)].**
- IV. Adoption of an Internal Management Policy establishing the position of Vice-Chairperson and method of selection of the Vice Chair. Proposed internal management policy is attached as Attachment IV.**
- V. Election of Chair.**
- VI. Selection of Vice-Chairperson.**
- VII. Report of the Fire Chief.**
- VIII. Announcement: Next Fire Commission meeting is scheduled for July 13, 2016, at 4 p.m. at the HFD Auditorium.**
- VII. Adjournment.**

Honolulu Fire Commission  
Internal Management Policy no. \_\_\_\_\_

Vice-Chairperson.

There shall be a Vice Chairperson of the commission whose shall assume the duties of the Chairperson in his or her absence. The Vice Chairperson shall be appointed by the Chairperson and serve for a term coterminous with the term of the Chairperson.



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BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARINGKIRK CALDWELL  
MayorMike Ellis, Chair, Board 1  
James W. Y. Wong, Chair, Board 2  
Lee Gordon, Chair, Board 3Date: June 1, 2016  
Honolulu, Hawaii

Page 1 of 2

Tax appeals have been set for hearing by the Board of Review in the Meeting Room at 842 Bethel Street, Basement, Honolulu, Hawaii. The following Tax Appeals are scheduled for the hearing on JULY 1, 2016 at 2:00 P.M., or as soon thereafter as the parties can be heard. Cases are heard on a "FIRST COME, FIRST SERVE" basis. Any persons representing the owner must have the owner's letter of authorization. You are requested to limit presentation of your case, including any oral testimony, to ten minutes, subject to extension of time at the Board's discretion. Please provide six (6) copies of any written testimony or evidence you submit to the Board. Any questions prior to the hearing, contact: MATTHEW PETERSON, 808-768-7958.

| TAXPAYER                              | TAX MAP KEY  | APPEAL NO. | YEAR |
|---------------------------------------|--------------|------------|------|
| 1 NAKATSUKA, CRAIG                    | 180210990000 | 111075     | 2016 |
| 2 MARUYAMA, DONALD K TR               | 180310360000 | 109757     | 2016 |
| 3 NAKATSUKA, CLAIRE L                 | 180330570000 | 111073     | 2016 |
| 4 LEE, EDMUND K B                     | 180330580000 | 109713     | 2016 |
| 5 LAU, ROBERT Y TR                    | 180340700000 | 110423     | 2016 |
| 6 CHUNG, JUNO MAN                     | 230400220042 | 109628     | 2016 |
| 7 CHEUNG, HO-MING                     | 230400220049 | 109823     | 2016 |
| 8 HEILBRON, BURT F TR                 | 230400220051 | 109642     | 2016 |
| 9 WONG, ELTON W H TR                  | 230400220077 | 112723     | 2016 |
| 10 RUFF, DALE L TR                    | 230400220086 | 109772     | 2016 |
| 11 YOUNG, THEODORE D C                | 230400220093 | 110395     | 2016 |
| 12 AU, CHRIS A TR & TRIPLETT, H BRUCE | 230400220119 | 109629     | 2016 |
| 13 KOBATAKE, ROY T TR                 | 230400220126 | 109906     | 2016 |
| 14 W4L 2006 LLC                       | 230400220142 | 110464     | 2016 |
| 15 LEONG, YVONNE                      | 230400220147 | 110804     | 2016 |
| 16 TSAI, LINDA C                      | 230400220154 | 109704     | 2016 |
| 17 FANJIANG, GARY                     | 230400220161 | 109827     | 2016 |
| 18 CHUNG, EUN JAE                     | 230400220175 | 110050     | 2016 |

/s/ JAMES WONG  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU

**BOARD OF REVIEW FOR THE  
CITY AND COUNTY OF HONOLULU  
NOTICE OF HEARING**

KIRK CALDWELL  
Mayor

Mike Ellis, Chair, Board 1  
James W. Y. Wong, Chair, Board 2  
Lee Gordon, Chair, Board 3  
Page 2 of 2

Date: June 1, 2016  
Honolulu, Hawaii

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|    | <b>TAXPAYER</b>    | <b>TAX MAP KEY</b> | <b>APPEAL NO.</b> | <b>YEAR</b> |
|----|--------------------|--------------------|-------------------|-------------|
| 19 | SHAPIRA, ODED      | 250050440000       | 110329            | 2016        |
| 20 | SHAPIRA, ODED      | 250060010000       | 110331            | 2016        |
| 21 | SHAPIRA, ODED      | 250060210000       | 110330            | 2016        |
| 22 | KC 2008 HAWAII LLC | 260110010091       | 103527            | 2015        |
| 23 | KANG, SANG WOOK    | 260110010127       | 103526            | 2015        |
| 24 | HAN, JUNG HAK      | 260110010156       | 103528            | 2015        |
| 25 | KANG, SANG WOOK    | 260110010197       | 103525            | 2015        |

/s/ JAMES WONG  
BOARD OF REVIEW  
CITY AND COUNTY OF HONOLULU